

**(Open Letter)**

19 July 2012

His Excellency  
**BENIGNO S. AQUINO III**  
President of the Philippines  
Malacañan Palace  
Manila

Through: **Hon. Florencio B. Abad**  
Secretary  
Department of Budget and Management

**Hon. Manuel L. Quezon III**  
Undersecretary  
Presidential Communications Development and Strategic  
Planning Office

**Re: *Passage of the Freedom of Information Act***

**Dear Mr. President:**

We, the undersigned organisations and individuals, are writing to you to highlight how important it is that the Government of the Philippines adopt the Freedom of Information Act. We work internationally and in countries all over the world to promote the right to information and we believe that legislation to secure this right is essential in a democracy.

We note that there has been a long-standing campaign for adoption of right to information legislation in the Philippines. Legislation was very nearly adopted by the 14<sup>th</sup> Congress, but the bill failed to complete the final step at the House of Representatives. Legislation has been under consideration by the 15<sup>th</sup> Congress since its term started in June 2010.

We had cause to believe that legislation on this core democratic issue would be adopted when you were elected, in part on a platform of transparency, anti-corruption and good governance. Our hope was renewed when you announced your endorsement of the bill in January 2012. However, the bill has

still not been passed, and we are concerned that time is starting to run out on the 15th Congress.

Right to information legislation is complex, and it is appropriate for there to be full consultations and debate before such a law is adopted. At this point, however, it is time for the Philippines to move forward on this issue. We note that the bill has already had a long legislative history, and we understand that the latest version already addresses a number of concerns that you raised at the beginning of your term. We also understand that there is wide support for the Bill currently being discussed in Congress and that the leading civil society group working on this issue in the Philippines, the *Right to Know. Right Now! Coalition*, is supporting the Bill.

The right to information is guaranteed under international law, specifically as part of Article 19 of the *International Covenant on Civil and Political Rights*, ratified by the Philippines on 23 October 1986. It is also guaranteed in Article III, Section 7 of the 1987 Constitution of the Philippines. The Government of the Philippines is, therefore, required to adopt right to information legislation to give effect to its international and constitutional human rights obligations. The adoption of this legislation is also a key practical step to address corruption, to enhance democracy and governance, and to foster the greater participation of all Filipinos in the process of national development.

We also believe that, as member of the Steering Committee of the Open Government Partnership (OGP), it is incumbent on the Philippines to adopt right to information legislation. One of the core commitments of the OGP, set out in the OGP's Declaration of Principles, is to: "Increase the availability of information about governmental activities." As the Declaration states: "Governments collect and hold information on behalf of people, and citizens have a right to seek information about governmental activities." This clearly requires the adoption of right to information legislation. In remaining for so long without a right to information law, the Philippines is failing to respect its role, as a Steering Committee member, to show "leadership by example for OGP in terms of domestic commitments" (OGP Articles of Governance).

The international movement for the right to information urges you to do all that you can to secure the adoption by the Philippines of the Freedom of Information Act. We believe that a clear and strong statement of support from you would help address any remaining resistance to adopting this legislation. We assure you of our support for this.

We are in solidarity with the Filipino people in anticipating your success in adopting the Freedom of Information Act. We believe this will help achieve the goals to which your administration is committed, and be for the greater benefit of the people of the Philippines.

Respectfully yours,

**Organisations:**

1. Access Info Europe, Spain
2. Access to Information Programme, Bulgaria
3. Acción Ciudadana, Guatemala
4. Actions for Genuine Democratic Alternatives (AGENDA), Liberia
5. Africa Freedom of Information Centre, Africa
6. Africa Centre for Open Governance (AfriCOG), Kenya
7. African Network of Constitutional Lawyers ATI Working Group, South Africa
8. Afro-Egyptian Human Rights Organization, Egypt
9. Alianza Regional por la Libre Expresión e Información, Americas
10. Alliance of Independent Journalists (AJI), Indonesia
11. ALTSEAN-Burma, Thailand
12. Arab Freedom of Information Network, Egypt
13. Article 19, United Kingdom
14. AsiaDHRRA, Asia
15. Asian Center for the Progress of Peoples, Hong Kong
16. Asociación Nacional de la Prensa (ANP), Bolivia
17. Bank Information Center - Asia
18. Burma Partnership, Thailand
19. CAInfo, Uruguay
20. Campaign for Freedom of Information, United Kingdom
21. Cameroon League of Human Rights, Cameroon
22. Center for Media Freedom MENA, Morocco
23. Centre for Law and Democracy, Canada
24. Centre for Philippine Concerns-Australia
25. Centre pour le Développement, la Prévention des Conflits et de Secours Humanitaires, Burundi
26. Christian Aid, United Kingdom
27. Citizens Campaign for Right to Information, Nepal
28. CODHOD, Democratic Republic of Congo, Kinshasa
29. Collectif 24, Democratic Republic of Congo, Kinshasa
30. Commonwealth for Human Rights Initiative (CHRI Africa Office), Ghana
31. CUTS International, India
32. Egyptians Against Corruption, Egypt
33. Eotvos Karoly Policy Institute, Hungary
34. EPAS, Romania
35. FOI Clinic, Islamic Indonesia University (Klinik KIP UII), Indonesia
36. Freedom of Information Center, Armenia
37. Freedom Forum, Nepal
38. Fundación Democracia Sin Fronteras (FDsF) - Honduras
39. Fundamedios - Ecuador
40. Fundar Center for Analysis and Research, Mexico

41. Gram Bharati Samiti (GBS), India
42. Health Care Without Harm, Southeast Asia
43. Indonesia Legal Aid, Indonesia
44. IndyMedia, United States
45. Institute for Criminal Justice Reform, Indonesia
46. Institute for the Study of the Free Flow of Information (ISAI), Indonesia
47. Instituto de Derecho y Economía Ambiental (IDEA), Paraguay
48. Instituto de Prensa y Sociedad (IPYS), Peru
49. Instituto Prensa y Libertad de Expresión (IPLEX), Costa Rica
50. Instituto Qualicidade, Brazil
51. International Federation for Human Rights, Global
52. Jukwaa La Katiba Tanzania (Tanzania Constitutional Forum), Tanzania
53. Justice and International Mission Unit, Synod of Victoria and Tasmania, Uniting Church in Australia
54. Media Link, Indonesia
55. Media Rights Agenda, Nigeria
56. Open Democracy Advice Centre, South Africa
57. PATTIRO, Indonesia
58. PRO MEDIA, Macedonia
59. Professionals For Humanity (PROFOH), Ghana, Nigeria and Benin
60. Publish What You Pay Indonesia
61. Rainbow Warriors Core Foundation, Aruba, Dutch Caribbean
62. Socio-Economic Rights and Accountability Project (SERAP), Nigeria
63. Solidarity Philippines Australia Network
64. Solidarity Workshop, Bangladesh
65. South African History Archive, South Africa
66. South East Asian Committee for Advocacy
67. Suma Ciudadana, Peru
68. Tanzania Citizens' Information Bureau, Tanzania
69. Tifa Foundation, Indonesia
70. Transparencia Colombia
71. Transparencia Venezuela
72. UNCAC Coalition of CSOs, Global
73. Zero Corruption Coalition (ZCC), Nigeria

#### **Individuals:**

1. Cen Amores, Member, FilPressSydney and Kapitbahayan Cooperative Ltd, Australia
2. Ruben Amores, President of Kapitbahayan Cooperative Ltd, Australia
3. Eduardo Bertoni, Former Organization of American States (OAS), Special Rapporteur on Freedom of Expression, Argentina
4. Shaazka Beyerle
5. Violi Calvert, Freelance writer, Co-Founder of North Shore Filipino-Australian Association, Australia

6. Francesca Fanucci, Lawyer, Consultant on freedom of expression, United Kingdom
7. David Goldberg, Scotland
8. Manuel Mario Guzman, Asian Federation against Involuntary Disappearances
9. Cita Hoersch, Australia
10. Walter Keim, Netizen, Norway
11. Henri Christin Longendja, Democratic Republic of Congo, Kinshasa
12. Fabrizio Scrollini, PhD Candidate London School of Economics and Political Science
13. Thilaga Sulathireh, Malaysia
14. Peter Timmins, Lawyer and Freedom of information expert, Australia
15. Mark Weiler, PhD, Canada

cc. Right to Know. Right Now! Coalition, Philippines

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For inquiries about the letter, please contact:

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