

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES
COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

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QUESTIONNAIRE: LEGISLATION ON AND
BEST PRACTICES OF ACCESS TO PUBLIC INFORMATION

[AG/RES. 2288 (XXXVII-O/07)]

(Document presented at the meeting of the Committee held on November 15, 2007)

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I. General information:

- Please include the following information on the cover page accompanying your replies:
 - Name of member state
 - Name or names of person or persons replying to the questionnaire
 - Title/position
 - Agency/organization
 - Mailing address
 - Telephone number
 - E-mail address or addresses of person or persons answering
 - Web page of agency/organization

II. Part One: Access to Public Information

1. Does your country's domestic legal system include general and/or specific provisions governing the right of access to public information and mechanisms for their enforcement? If so, please describe them briefly and attach copies of the provisions and the documents containing them.
2. Does your country's domestic legal system include norms and mechanisms governing and promoting government transparency and accountability? If so, please describe them briefly and attach copies of the provisions and the documents containing them.
3. If no general procedures are in place in your country to obtain access to public information, please briefly indicate how your country ensures and promotes access to public information, transparency, and accountability in its domestic legal system and in your country's government.
4. What obligations does your legislation contain to ensure that public officials provide the public information requested by citizens?
5. What types of administrative and/or legal remedies do citizens in your country have if they are denied access to public information?
6. What types of legal sanctions are in place in your country to sanction public officials who prevent, delay, or obstruct access to public documents? Are procedures and/or mechanisms also in place for the effective imposition of said sanctions?

III. Part Two: Best Practices

1. What methods, strategies, plans, programs, and/or policies does the government use to promote active exercise by the citizenry of the right of access to public information? What evaluation methods and fulfillment indicators does the government use to measure the impact of said plans, programs, and/or policies on dissemination to, and awareness and exercise of this right by the citizenry? Please describe them.
2. What methods, strategies, plans, programs, and/or policies does the government use to disseminate and enforce the obligation to respect the citizenry's right of access to public information? What evaluation methods are used to measure the impact of said plans, programs, and/or policies on the dissemination to and fulfillment of this obligation in government? Please describe them.
3. What types of requirements exist and/or procedures are required in your country to request public information from a government agency? Please also describe, where applicable:
 - a. Differences in formalities and/or procedures depending on the type of information requested.
 - b. Differences in formalities and/or procedures depending on the governmental area to which the request is made.
 - c. Extent of understanding and of use of and complaint against such formalities and/or procedures by citizens requesting public information.
4. What practices, instruction manuals, and procedures do governmental areas and public officials of your country use to ensure the effectiveness of requests for public information made by citizens? Please include information pertaining to:
 - a. Public offices legally obliged to provide information;
 - b. Types of public information not classified or confidential;
 - c. Times or periods for providing information requested;
 - d. Forms in which the requested information is provided.
5. What types of electronic data and information processing, transmission, and communication systems does your government use to ensure optimal access by the citizenry to public information?
6. What types of civil society organizations of your country have played or may play an important part in promoting the right of access to public information and in helping to strengthen the obligation of transparency and accountability in your country's government?

IV. Part Three: Additional Information

1. Is there any additional information or legislation, or are there any further materials that might be useful in preparing a study containing recommendations, guidelines, and best practices regarding access to public information and the way in which OAS member states handle this matter?
2. Do you have any other comments you would like to make?