

THE
CARTER CENTER



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In collaboration with:



AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
COMMISSION AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

ODAC

Open Democracy Advice Centre

To: Participants in the African Regional Conference on the Right of Access to Public Information

From: Laura Neuman, Manager of the Access to Information Project and Associate Director, The Carter Center

Re: Conference Objectives and Overview

We are delighted that you will be joining us in Accra to consider the successes and challenges in advancing the right of access to information in the African region. Organized by The Carter Center in collaboration with the Special Rapporteur on Freedom of Expression and Access to Information in Africa and Commissioner of the African Commission of Human and Peoples' Rights, the Media Foundation for West Africa, and the Open Democracy Advice Centre, and under the leadership of former United States President Jimmy Carter, this conference will explore the state of the right of access to information in Africa and identify additional steps necessary to promote, entrench and sustain this right. We are pleased to have high-level representation from all sectors of society – political, governmental, business, media, non-governmental organizations – as well as regional organizations and leading foundations. In total, there are more than 125 participants from over 18 countries in the region, as well as colleagues from India, Jamaica, the United States, Canada, the United Kingdom, Mexico and Australia.

Access to Information in Africa

The international trend of passing access to information legislation continues, with more than 80 countries worldwide enjoying an enforceable statutory right to information. Yet at present, only five African countries have access to information laws, and those with laws on books are in some cases used to oppress or lack resources, capacity, or commitment for full implementation and enforcement. One positive case appears to be South Africa, which is celebrating the tenth anniversary of their promotion of access to information law. Nevertheless, with less than 7.5%¹ of the countries in the region counting on a statutory right, the African region lags far behind the rest of the world in establishing access to information legislation.

Interestingly, the regional framework may already exist in Africa, but certainly has not produced the desired results. In addition to international instruments such as the Universal Declaration of Human Rights and the more recent United Nations Convention against Corruption, the African region counts on a number of conventions and declarations that endorse a right of access to information. The African Charter on Human and Peoples' Rights Article 9 (1) provides that "Every individual shall have the right to receive information." The African Commission on Human and Peoples' Rights 2002 Declaration of Principles on Freedom of Expression in Africa more exactly details the rights of access to information in Sec. 4, including that everyone has a right to access information held by public bodies and private bodies when necessary for the exercise or protection of any right, rights of appeal, public bodies' duty to publish information, and

¹ This figure does not include Zimbabwe. With Zimbabwe, the figure goes up to approximately 9%.

that secrecy laws should be amended as necessary to comply with freedom of information principles.

Experts suggest that the main obstacles to fulfilling the regional mandates include a failure of political leadership, a culture of secrecy, low public awareness, competing priorities and institutional barriers, such as weak public administration, poor recordkeeping systems, and lack of an independent judiciary etc. Yet the notions of good governance, participation, and the need to fight corruption and impunity – all reliant on access to information – are increasingly understood as critical for the region’s democratic development. This may explain why more than a quarter of the countries (beyond those with laws) in sub-Saharan Africa are considering draft access to information legislation, and the African Commission on Human and People’s Rights in 2007 “renewed the mandate of the Special Rapporteur on Freedom of Expression in Africa with the following amended title: Special Rapporteur on Freedom of Expression and Access to Information in Africa” and expanded her purview to promote access to information throughout Africa.²

Efforts to advance the right of access to information continues in a number of countries, perhaps most notably the decade-long campaign in Nigeria and the ongoing debate in nations such as Zambia, Mozambique, and Ghana. Additional countries have a right of access to information enshrined in their constitutions, but lack the implementing legislation necessary to put this right into effect. Meaningfully, countries in post-conflict transition, such as Liberia and Sierra Leone, are placing emphasis on the need for a freer flow of information as a counter-balance to potential future conflict, but have yet to pass the necessary laws to insure the shift to openness and transparency.

Although a number of initiatives to increase transparency through new information and communication technologies and certain key sectors have found some traction - most notably extractive industries and the recent medicines transparency alliance - comprehensive transparency and the right of access to information eludes the vast majority of African governments and its citizens. As one participant stated in our recent pre-conference survey, the community of practice “needs a new strategy” and a forum to increase understanding of the unique African needs and experiences.

African Regional Conference Background

In February 2008, The Carter Center held the International Conference on Access to Public Information. The International Conference convened 125 representatives from 40 countries to reflect on the current worldwide status of the right to public information, consider the impact of access to information on areas such as development and governance, and explore priority actions for advancing the passage and full implementation of access to public information laws. The conference concluded with the creation of the *Atlanta Declaration and Plan of Action for the Advancement of the Right of Access to Information*.

² ACHPR/Res.122 (XXXII) 07: Resolution on the Expansion of the Mandate and Re-appointment of the Special Rapporteur on Freedom of Expression and Access to Information in Africa, November 2007.

Following the global conference, the Center received numerous requests from participants and others in the community of practice to organize a similar forum with a more regional focus. Although serving as a guide, the action plan was more aspirational than actionable, as it attempted to take into account the global context. Moreover, in some instances, the geographic and cultural diversity of participants limited the discussion and resulted in more general findings and action points. By convening persons from the same region, we will reduce some of these differences, allowing for increasingly targeted debate and conclusions. By using the methodology from the international conference and the *Atlanta Declaration* as a framework, this regional conference will allow us to contextualize the discussion and findings and connect them to the African regional realities, culminating in a more finely tuned regional plan of action. As with the international conference, we hope that this forum will focus on the political obstacles to establishing a right of access to information, including identifying the costs and benefits for each stakeholder group.

Goal and Objectives

The goal of this regional conference is the advancement of the right of access to information in Africa.

The main objectives of the conference are to:

1. Identify and explore challenges and potential solutions specific to Africa;
2. Bring together stakeholders to enhance a regional community of practice;
3. Provide space for sharing experiences and learning;
4. Encourage multi-stakeholder national clusters to advance the right of access to information in their countries;
5. Create and disseminate regional findings and a plan of action.

Under President Carter's leadership, this African Regional conference will harness the diverse views and experiences of the participants to create a practical and actionable roadmap – the *African Regional Plan of Action for the Advancement of the Right of Access to Information* - to move forward the right in Africa.

Methodology

The African Regional Conference on the Right of Access to Information will follow a similar methodology to the international conference held in Atlanta and the Americas Regional Conference held in Lima in April 2009. The African conference will allow space for sharing experiences, but with a primary focus on in-depth discussions of challenges, potential solutions, and best practices. Convening representatives from the key stakeholder groups will allow for a critical examination of the right of access to information in Africa, including the progress and obstacles, measures for increasing political commitment and engaging the citizenry, how to address weak

institutionalization, and an investigation of the benefits and potential drawbacks of a regional convention.

The conference will promote peer-to-peer learning through the examination of specific challenges, impact, and future agenda items. As before, we will engage a mixed methodology of panels, working groups and plenary discussions. We will be joined by President Carter as well as other international and regional leaders.

On Sunday February 7th, we will open the conference with comments from President Carter, Vice-President of Ghana John Dramani Mahama, and Vice-President of the World Bank Institute Sanjay Pradhan. Throughout this first day, we will reflect on the state of the right to information in Africa, including country case studies. In addition, plenary panels will focus on questions such as “Does Transparency Matter?” and “If so, Why is Africa Lagging Behind?” Chaired by leading Ministers from conference focus countries, these panels will spotlight the value of transparency for promoting good governance, increasing accountability, managing oil revenues, and improving development and socio-economic rights. Additional Ministers will provide responses to the panel comments and share their own perspectives. The presentations also will provide seeds for dialogue on issues ranging from political commitment and institutional capacity to civil society engagement and demand. The plenary sessions are designed to inform the discussions that will take place during the remainder of the conference.

The second day will be dedicated to group work, with the participants strategically placed into five groups. The areas for exploration by these multi-stakeholder groups include:

1. Politics and Economy: shifting the balance toward openness
2. Structural Context and Culture: creating an environment for transparency
3. Non-State and Multi-lateral Actors: examining roles and responsibilities
4. Regional Norm-building: considering regional instruments and standards
5. Demand and Use of New Technology: engaging citizens and increasing awareness

These working groups will examine the challenges to the passage and implementation of access to information laws, constraints, and next generation issues, as well as engage the issue of impact—topics that without our consideration could undermine past advances or retard future gains in the right to information. Each of these working groups will be led by a well-known facilitator with an expert rapporteur, and will be tasked with creating a set of findings and recommendations to be incorporated into the conference findings and plan of action. During the lunch, we will engage in a lively debate on the role of the media in Africa with regard to access to information.

On Tuesday February 9th, the final day of the conference, we will convene in plenary for working group reports and to consider a draft of regional findings and an action plan. Renowned journalist Charlayne Hunter-Gault and Special Rapporteur Pansy Tlakula will guide the report backs from the working groups and debate on the conference findings and plan of action. Time will be provided for country clusters to meet and consider how

the action plan may be applied in their country and how they might work together to advance critical points. The concluding plenary will seek consensus for the regional action plan, identify specific actors to advance the recommendations, and consider means of monitoring and reporting on progress.

As a result of the conference, The Carter Center anticipates the following outputs:

- A commitment from multi-stakeholder national clusters to advance the right of access to information in their countries; and
- An African access to information action plan that identifies potential solutions, disseminates regional findings, and determines concrete action steps.

The success of these outputs will be measured by 1) securing commitments by conference participants to advance country specific access to information strategies and 2) the participants' adoption of the comprehensive action plan at the end of the conference.

Donors and Collaborators

A conference of this size and complexity would not be possible without generous support from the donor community. We have been privileged to partner on this conference with the Hewlett Foundation, International Development Research Centre, the World Bank Institute, Omidyar Network, Symantec and IrishAid. In addition, we received support for civil society participation from Affiliated Networks for Social Accountability-Africa. Finally, our regional collaborators – the Special Rapporteur on Freedom of Expression and Access to Information in Africa, the Media Foundation for West Africa, and the Open Democracy Advice Centre – provided great assistance and advice.

I am excited to see all of you soon and start framing the right to information for the coming years. It will be your enthusiasm and ideas that will assure the success of this process. Thank you in advance for openly sharing your expertise and opinions with our community, and for your dedication to ensuring that all people in Africa enjoy and benefit from the right of access to information.



African Regional Conference on the Right of Access to Information

*Accra, Ghana
February 7-9, 2010*

Sunday February 7

10:30 am **Registration and Coffee**

Plenary Sessions

11:30 am **Opening Session**

John Dramani Mahama, Vice President of the Republic of Ghana
Jimmy Carter, Former President of the United States of America
Sanjay Pradhan, Vice President, World Bank Institute
Laura Neuman, Manager Access to Information Project and Associate Director, The Carter Center

12:45 pm **Photo**

1:00 pm **Luncheon**

2:00 pm **Panel 1: Does Transparency Matter?**

Chair: Minister Natty Davis, Minister of State, Development and Reconstruction, Liberia
Respondents: Minister Vitoria Dias Diogo, Minister of Public Service, Mozambique
Minister Lambert Mende Omalanga, Minister of Communication and Media,
Democratic Republic of the Congo

Akere Muna, Vice-Chair of the Board, Transparency International
Owen Barder, Director, AidInfo, Development Initiatives, Ethiopia
Chris Anderson, Director, Corporate & External Affairs Africa, Newmont Ghana Gold Ltd.

3:45 pm **Panel 2: If Transparency Matters, Why is Africa Lagging Behind?**

Chair: Minister Ronnie Shikapwasha, Minister of Information and Broadcasting Services, Zambia
Respondent: Minister Moustapha Guirassy, Minister of Communications and Government
Spokesperson, Senegal

Faith Pansy Tlakula, Special Rapporteur on Freedom of Expression & Commissioner, African
Commission on Human and Peoples' Rights, African Union

Rick Snell, Senior Lecturer in Law, University of Tasmania, Australia
Rakesh Rajani, Executive Director, Twaweza, Tanzania

5:15 pm **Break**

- 5:45 pm **Panel 3: Select Country Cases**
 Chair: Kabakuma L. Masiko, Minister of Information and National Guidance, Uganda
 Nigeria: Edetaen Ojo, Executive Director, Media Rights Agenda
 Zimbabwe: Trevor Ncube, Chief Executive, Mail & Guardian Media Group
 Mali: Ousmane Sidibe, Commissioner, Commission for Institutional Development, Mali
 South Africa: Ngoako Ramatlhodi, Chairperson, Portfolio Committee on Justice and Development
- 7:15 pm **Cocktails**
- 7:45 pm **Dinner: Speaker and Performance**
Music provided by Gonje
 Stephen King, Director, Investments, Omidyar Network
 Jimmy Carter, Former President of the United States of America
 Charlayne Hunter-Gault, Journalist, Former CNN Bureau Chief, Johannesburg

Monday February 8

Participants on own for breakfast

- 8:30 am **Plenary Session: Day One Summary and Break into Working Groups**
 Minister Ibrahim Ben Kargbo, Minister of Communication and Information, Sierra Leone
 Laura Neuman, Manager Access to Information Project and Associate Director, The Carter Center
- 9:00 am **Simultaneous Thematic Working Groups**
- Group 1 – Political Economy: shifting the balance toward openness**
 Facilitator: Richard Calland, Associate Professor University of Cape Town, South Africa
- Group 2 – Structure and Culture: creating an environment for transparency**
 Facilitator: Shekhar Sing, Founder National Campaign for People’s Right to Information, India
- Group 3 – Non-state and Multilateral Actors: examining roles and responsibilities**
 Facilitator: Nana Oye Lithur, Chief Executive Officer, Human Rights Advocacy Centre, Ghana
- Group 4 – Regional Norm-building: considering regional instruments and standards**
 Facilitator: Mukelani Dimba, Deputy CEO, Open Democracy Advice Centre, South Africa
- Group 5 – Demand and Use of New Technology: engaging citizens and increasing awareness**
 Facilitator: Carolyn Gomes, Executive Director, Jamaicans for Justice, Jamaica
- 11:00 am **Break**
- 11:30 am **Working Groups Reconvene**
- 1:00 pm **Luncheon**
Media in Africa and the Right of Access to Information:
 Kwame Karikari, Executive Director, Media Foundation of West Africa
 Amadou Mahtar Ba, Executive Director, African Media Initiative
- 2:30 pm **Working Groups Reconvene**
- 6:00 pm **Evening on own**

Tuesday February 9

Participants on own for breakfast

Plenary Sessions

- 9:00 am **Chair Opening and Report Backs from Working Groups**
Charlayne Hunter-Gault, Journalist, Former CNN Bureau Chief, Johannesburg & Member of Board of Trustees, The Carter Center
- 10:20 am **Discussion**
- 11:00 am **Break and Review Draft Findings and Plan of Action**
- 11:30 am **Plenary Discussion of Draft Regional Findings and Plan of Action**
- 12:30 pm **Luncheon**
- 1:45 pm **Convene as Country Working Groups**
- 3:00 pm **Break**
- 3:30 pm **Report Backs from Country Working Groups**
Chair: Minister Betty Mould Iddrisu, Attorney General and Minister of Justice, Ghana
- 4:45 pm **Next Steps and Closing Remarks**
Chair: Pansy Tlakula, Special Rapporteur on Freedom of Expression and Access to Information in Africa and Commissioner, Africa Commission on Human and Peoples' Rights
Laura Neuman, Manager Access to Information Project & Associate Director, Carter Center
- 5:15 pm **Cocktail Reception**

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African Regional Conference on the Right of Access to Information

*Accra, Ghana
February 7-9, 2010*

Participants

Gbenga Adefaye	President, Nigerian Guild of Editors, Nigeria
Olusegun Adeniyi	Senior Special Assistant to the President on Media and Communications, Government of Nigeria, Nigeria
Estelle Akofio-Sowah	Manager, Google, Ghana
Anthony Akoto Ampaw	Executive Member, Right to Information Coalition of Ghana & Partner, Akufo-Addo, Prempeh & Co, Ghana
Joseph Allan	Programme Officer, Delegation of the European Commission in Ghana
Elizabeth Alpha Lavalie	Member of Parliament & Chairperson, Human Rights Committee, Sierra Leone
Chris Anderson	Director, Corporate & External Affairs Africa, Newmont Ghana Gold Ltd.
Amare Aregawi	Chairman of the Board, Transparency International Ethiopia & Editor in Chief, The Reporter, Ethiopia
Kojo Asante	Governance and Legal Policy Officer, Center for Democratic Development, Ghana
Afia Asantewaa Asare Kyei	Law, Justice and Human Rights Program Manager, Open Society Initiative for West Africa, Senegal
Abraham Azubuike	Chief Librarian, United Nations Economic Commission for Africa
Amadou Mahtar Ba	Executive Director, African Media Initiative & President, All Africa Global Media, Kenya
Gabriel Baglo	Director, International Federation of Journalists Africa Regional Office, Senegal
James Banda	Program Officer, Right to Know Right to Education, Zambia Civic Education Association, Zambia
Leslie Bar-Ness	Government Relations Manager, Symantec Corporation, USA
Owen Barder	Member, Technical Advisory Group, International Aid Transparency Initiative & Director, Aidinfo, Development Initiatives, Ethiopia
Guy Berger	Head of the School of Journalism and Media Studies, Rhodes University, South Africa
Richard Blum	Chairman & President, Blum Capital Partners, L.P. & Member of Board of Trustees, The Carter Center
Kevin Bohrer	Program Officer, Global Development, Hewlett Foundation, USA

Richard Calland	Associate Professor, University of Cape Town & Co-Director, International Transparency School, South Africa
João Carlos	Press Adviser, Ministry of Public Service, Government of Mozambique, Mozambique
Jimmy Carter	Former President of the United States of America, Founder, The Carter Center, USA
Rosalynn Carter	Former First Lady of the United States of America, Founder, The Carter Center, USA
Mario Claasen	Project Manager, Affiliated Network for Social Accountability-Africa, South Africa
Francis Colee	Secretary, Publish What You Pay Liberia & Coordinator, Green Advocates, Liberia
Colin Darch	Senior Information Specialist, University Libraries, University of Cape Town, South Africa
O. Natty B. Davis, II	Minister of State for Development and Reconstruction, Government of Liberia, Liberia
Filifing Diakit�	Coordinator, Network of Journalists for the Promotion of Human Rights, Mali
Fatima Diallo	Secretary, Working Committee on Access to Information, African Network of Constitutional Lawyers, Senegal
Ramata Diaoure	Editor in Chief, L'Ind�pendant, Mali
Vitoria Dias Diogo	Minister of Public Service, Government of Mozambique, Mozambique
Boubacar Dicko	Project Coordinator, Commission for Institutional Development, Government of Mali
Mukelani Dimba	Deputy Chief Executive Officer, Open Democracy Advice Centre, South Africa
Ishac Diwan	Country Director for Ghana, Burkina Faso, Liberia, Sierra Leone & Guinea, World Bank
Lilian Ekeanyanwu	Head, Technical Unit on Governance and Anti-Corruption Reforms, Government of Nigeria, Nigeria
Ike Ekweremadu	Senator & Deputy President of the Senate, Nigeria
Luis Esquivel	Consultant, Access to Information Program, World Bank Institute
Carole Excell	Senior Associate, World Resources Institute, USA
Thomas Gbowi	Editor, The Exclusive Press Newspaper, Sierra Leone
Demirew Getachew	Head of Secretariat, Ethiopian Economic Association, Ethiopia
Elaine Geyer-Allely	Independent Consultant, Switzerland
Joseph Gitari	Program Officer, Ford Foundation (invited)
Carolyn Gomes	Executive Director, Jamaicans for Justice, Jamaica
Cheryl Gopaul	Co-Chair Governance Sector Group & Senior Governance Advisor, Canadian International Agency Development, Ghana
Annie Goranson	Discovery Attorney, Symantec Corporation, USA
Juan Pablo Guerrero	Program Manager, Mentoring Government Capacity for Transparency Program, International Budget Partnership, Mexico
Mamadou Bara Gu�ye	Director, Environmental and Developmental Innovations in Africa, Senegal
Moustapha Guirassy	Minister of Communication, Government of Senegal, Senegal

John Hardman	President & CEO, The Carter Center
C.R. Hibbs	Program Officer & Managing Director for Mexico, Global Development Program, Hewlett Foundation
Vinicius Hodges	Member, House of Representatives & Chairman, Committee on Information, Broadcasting, Culture and Tourism, Liberia
Charlayne Hunter-Gault	Journalist, Former CNN Bureau Chief, Johannesburg & Member of Board of Trustees, The Carter Center
Angelo Izama	Director, Special Projects, The Daily Monitor, Uganda
Curtis Jarrett	Director of Research, Ministry of Information, Culture and Tourism, Liberia
Alieu Jeng	Resident Representative, African Development Bank, Ghana Country Office (invited)
Patricia Jonason	Co-Director, International Transparency School & Lecturer, Department of Social Sciences and Law, Sodertons University, Sweden
Malcolm Joseph	Executive Director, Center for Media Studies and Peace Building, Liberia
Sophie Mukenge Kabongo	Programme Coordinator, fesmedia Africa, Friedrich Ebert Stiftung, Namibia
Maxwell Kadiri	Associate Legal Officer, Open Society Justice Initiative, Nigeria
Kenneth Kakuru	Executive Director, Greenwatch, Uganda
Ernesto Kambali	Economic Justice Project Coordinator, Commission for Justice and Peace, Episcopal Conference of Angola and São Tomé, Angola
Sampa Kangwa-Wilkie	Program Specialist for Freedom of Expression and Media Law, Media Institute of Southern Africa, Regional Secretariat, Namibia
Amadou Kanoute	Coordinator, Article 19-West Africa, Senegal
Ibrahim Ben Kargbo	Minister of Information and Communication, Government of Sierra Leone, Sierra Leone
Kwame Karikari	Executive Director, Media Foundation for West Africa, Ghana
Dawit Kebede	Editor-in-Chief, Awramba Times, Ethiopia
Shemelis Kemal	Deputy Minister, Office of Government Communication Affairs, Government of Ethiopia, Ethiopia
Stephen King	Director, Investments, Omidyar Network, UK
William Kingsmill	Special Advisor on Governance to the VP Africa Region, World Bank
Chantal Kisoon	Deputy Director, Promotion of Access to Information Act Unit, South African Human Rights Commission, Government of South Africa
Joshua Klemm	Manager, Africa Program, Bank Information Center, USA
Mamadou Kouyate	Director of Communications, Department of Taxes, Government of Mali, Mali
Emmanuel Kuyole	Africa Regional Coordinator, Revenue Watch Institute, Ghana
Paul Lartey	President & CEO, LaGray Chemical Co. Ltd., Ghana (invited)
Alfredo Libombo	Executive Director, Media Institute of Southern Africa – Mozambique, Mozambique
John Dramani Mahama	Vice President, Republic of Ghana
Henry Maina	Director, Article 19- East Africa, Kenya
Steve Manteaw	Convener, Publish What You Pay Ghana & Media and Campaigns Coordinator, Integrated Social Development Center, Ghana (invited)
Kabakumba L. Masiko	Minister of Information and National Guidance, Government of Uganda,

	Uganda
Patrick Matibini	Lecturer & Legal Practitioner, University of Zambia Law School, Zambia
Donat M'baya Tshimanga	President, Journalists in Danger, Democratic Republic of the Congo
Lambert Mende Omalanga	Minister of Communications and Media, Government of Democratic Republic of the Congo, DRC
Marcos Mendiburu	Social Development Specialist, World Bank Institute
Emmanuel Mensah	Coordinator, Commonwealth Human Rights Institute, Ghana
Francina Mhundwa	Head of Advocacy for Economic Governance Program & Program Manager, Right to Know, Right to Education Project, Institute for Democracy in Africa, South Africa
Elisabeth Missokia	Executive Director, HakiElimu, Tanzania
Marcelo Mosse	Executive Coordinator, Integridade Mozambique, Mozambique
Betty Mould-Iddrisu	Attorney General & Minister of Justice, Government of Ghana, Ghana
Clement Mshana	Director, Tanzania Information Services, Government of Tanzania, Tanzania
Sisonke Msimang	Executive Director, Open Society Initiative for Southern Africa, South Africa (invited)
Shamiso Mtisi	Environmental Lawyer, Zimbabwe Environmental Law Association, Zimbabwe
Akere Muna	Vice-Chair of the Board, Transparency International & President of the Pan African Lawyers Union
Ezekiel Mutua	Director of Information & Public Communications, Government of Kenya
Florence Nakazibwe	Coordinator, African Freedom of Information Center, Uganda
Venkatesh Nayak	Coordinator, Access to Information Programme, Commonwealth Human Rights Initiative, India
Trevor Ncube	Chief Executive, Mail & Guardian Media Group, South Africa/ Zimbabwe
Anne Nderi	Assistant Program Officer, Policy, Research, and Advocacy, International Commission of Jurists, Kenya
Laura Neuman	Manager, Access to Information Project & Associate Director, The Carter Center, USA
Tavinder Nijhawan	Program Management Officer, International Development Research Centre, Canada
Binaifer Nowrojee	Director, Open Society Initiative for East Africa, Kenya (invited)
Priscilla Nyokabi	Executive Director, Kituo Cha Sheria, Kenya
Benson Ochieng	Director, Institute for Law & Environmental Governance, Kenya
Adhiambo Odaga	Representative for West Africa, Ford Foundation (invited)
Sina Odugbemi	Program Head, Communication for Governance & Accountability, World Bank
Edetaen Ojo	Executive Director, Africa Freedom of Information Center, Nigeria
Jean-Baptiste Otshudi	President, AMICUS, Democratic Republic of the Congo
Bolaji Owasanoye	Professor, Nigerian Institute of Advanced Legal Studies, University of Lagos, Nigeria
Nana Oye Lithur	Chief Executive Officer, Human Rights Advocacy Centre, Ghana
Irene Petras	Acting Director, Zimbabwe Lawyers for Human Rights, Zimbabwe
Gary Pienaar	Senior Researcher, Political Information and Monitoring Service, Institute for a Democratic Alternative for South Africa, South Africa

Suzanne Piotrowski	Faculty Fellow, Associate Professor of Public Affairs and Administration, Rutgers University, USA
Sanjay Pradhan	Vice President, World Bank Institute
Peter Quaqua	President, Press Union of Liberia, Liberia
Jeannette Quarcoopome	Programmes Director, Media Foundation for West Africa, Ghana
Rakesh Rajani	Executive Director, Twaweza, Tanzania
Ngoako Abel Ramatlhodi	Member of Parliament & Chairperson, Portfolio Committee on Justice and Development, South Africa
Ayub Rioba	Chairman, Media Institute of Southern Africa – Tanzania Governing Council, Tanzania
Salva Rweyemamu	Director of Communications, State House, Government of Tanzania, Tanzania
Emmanuel Saffa Abdulai	Executive Director, Society for Democratic Initiatives, Sierra Leone
Patrick Schmidt	Associate Professor, Macalester University, USA
Gilbert Sendugwa	Executive Director, African Freedom of Information Center, Uganda
Ronnie Shikapwasha	Minister of Information and Broadcasting Services, Government of Zambia, Zambia
Ousmane Sidibé	Director, Commission for Institutional Development, Government of Mali, Mali
Shekhar Singh	Founder, National Campaign for People’s Right to Information, India
Rick Snell	Senior Lecturer, University of Tasmania, Australia
Ibrahim Sorie	Member of Parliament & Chairman, Information and Communication Committee, Sierra Leone
Emil Stalis	Democracy & Special Project Coordinator, United States Agency for International Development, Ghana
Kassé Tidiane	Editor, Pambazuka News French Edition, Fahamu, Senegal
Faith Pansy Tlakula	Special Rapporteur on Freedom of Expression & Commissioner, African Commission on Human and Peoples Rights, The Gambia
Patrick Tumwebaze	Executive Director, Uganda Debt Network, Uganda
Peter Veit	Senior Fellow, World Resources Institute, USA
Negbalee Warner	Head of Secretariat, Liberia Extractive Industries Transparency Initiative, Liberia

Staff

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Meg McDermott	Conference Assistant, Access to Information Project, The Carter Center, USA
Jon Mark Walls	Consultant, Access to Information Project, The Carter Center, USA
Lee Catherine Booker	Intern, Access to Information Project, The Carter Center, USA

Conference Logistics Memo

We are delighted to welcome you to Accra, Ghana. Provided below is some additional information for your arrival and stay.

Conference Location

The conference proceedings will take place at the La Palm Royal Beach Hotel on the coast of Accra. Due to the overwhelmingly positive response we received, we have reserved rooms in two neighboring hotels. Your travel/hotel confirmation email will inform you in which hotel a reservation has been made for you. Information for the location of the conference proceedings is as follows:

Conference Location

La Palm Royal Beach Hotel
1 La Bypass
Accra, Ghana
Tel: 233-21-771700

Airport Transportation

Arrival:

The Carter Center is working with both hotels, the La Palm Royal Beach Hotel and the Labadi Beach Hotel, to provide transportation from the airport to the hotel. Upon leaving Customs and Immigration, please proceed to the Arrivals Hall where you will be greeted by a hotel staff member. Please be sure to look for the hotel staff member holding a sign with the name of your hotel or a conference volunteer holding a sign with the conference logo. If you choose to take a taxi or other form of transportation to your hotel, you will be responsible for any associated costs.

Conference staff will greet you at Arrivals Hall during the following times only:

Saturday, February 6:	8:00am to 11:00pm
Sunday, February 7:	8:00am to 11:00am

Departure:

For those travelers leaving directly from the conference proceedings on Tuesday, February 9th, we will have complementary group transportation available to the airport. Please remember to check-out from your hotel in the morning and to ask the La Palm Royal Beach Hotel staff to hold your luggage in a special storage area.

Your hotel also will provide complementary group transport to the airport all day on Wednesday, February 10th. For any travelers leaving on Thursday, February 11th or later, please speak directly to your hotel staff to schedule your complementary transportation to the airport.

For all travelers returning to the airport on Tuesday and Wednesday, we will post a departure list and times. Should you choose to go separately from this list, you will be responsible for your own

transportation and cost.

Hotel

When you check into your hotel, please be reminded that you will be required to provide your credit card information to the hotel upon check-in. If you are not able to provide a credit card, the hotel will require a refundable cash deposit. Changes to your reservation need to be made directly through The Carter Center.

Check-in and check-out time is 4:00pm and 12:00pm respectively. Although we have asked for early check-in and late check-out where applicable, please be advised these requests are not guaranteed and dependent upon availability. The hotel will gladly hold your luggage on the days of your arrival and departure if necessary.

Climate and Dress Code

The climate of Ghana is tropical, but temperatures vary with season. The month of February in Accra is considered part of the dry season when the Harmattan, a dry desert wind, blows from the Northeast, lowering the humidity and creating hot days and cool nights. Temperatures are rather consistent but can range between 88 and 79 degrees Fahrenheit (31-26 degrees Centigrade). The lower temperatures usually occur at night. Rainfall is very low.

Business or traditional attire is required for all conference events with the exception of Monday, February 8th when we will break into working groups and business casual attire is recommended. President and Mrs. Carter will join us for our dinner and a group photo on Sunday, February 7th so please dress appropriately.

Meals

Breakfast is included with each night of your hotel accommodation. The Carter Center will provide group meals as part of the conference proceedings, with the exception of Monday night, February 8, when participants have the evening free. In addition to hotel restaurants, please refer to your welcome packet for further dinner suggestions for this night.

Contact Numbers

The Carter Center

Tel: 404-420-5175

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Key Staff numbers in US (may not work in Ghana – we will send Accra mobile numbers via e-mail before the conference begins, or you can reach us at the La Palm Royal Beach Hotel).

Kari Mackey (in case of emergency) 770-845-4416

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Executive Summary

International Conference on the
Right to Public Information

Atlanta, Georgia

February 2008



International
Conference on
the Right to
Public Information

February 27–29, 2008

THE
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EXECUTIVE SUMMARY

The Carter Center's International Conference on the Right to Public Information convened more than 125 participants representing 40 countries to reflect on the successes and lessons learned over the past decade in the access to public information (ATI) arena and to consider emerging issues. In bringing representatives from all key stakeholder groups—government, donors, media, civil society, private sector, and academia—together from February 27–29, 2008, the conference critically examined the progress and began to identify the necessary steps and measures to ensure the effective creation and implementation of universal access to public information. With an overall goal of advancing effective access to public information regimes globally, the conference addressed three primary objectives of:

- reflecting on the worldwide status of the right of access to public information;
- considering the impact of access to information on areas such as development and governance; and
- creating a blueprint for future action.

THE GLOBAL CHALLENGES

During the past two decades, there have been enormous advances in the field of access to information; however, the global landscape also has endured great change and many challenges still remain. More than 100 countries lack enabling legislation and numerous countries with once vibrant and robust access to information regimes are now in retreat. Even in

those countries that have passed legislation, there is inconsistent and at times insufficient implementation of the law. Moreover, it remains unclear that all of the benefits of the right to information are in fact reaching the most disadvantaged people and creating the anticipated societal transformations. And collaboration among stakeholders has not always occurred or yielded the desired results. Often, critical voices—such as donors or access to information administrators—have not been engaged.

CONFERENCE METHODOLOGY

The conference, initially considered and designed through a preconference meeting and with ongoing consultations, employed a mix of keynote speakers, panel presentations, and small working groups to share experiences, consider the challenges facing the right of access to information, and develop an agreed-upon action plan. Keynote speeches and plenary sessions bookended the three-day conference, with group work serving as the centerpiece. Conference attendees were purposefully chosen from a variety of stakeholder groups and fields to highlight the broad reach of access to information. The attendees were divided into five working groups to consider separate topics. Through facilitated discussions, the working groups delineated a set of concrete recommendations for the advancement of the field. The final sessions, chaired by former U.S. President Jimmy Carter, culminated in a draft consensus declaration and plan of action.

More than 100 countries lack enabling legislation and numerous countries with once vibrant and robust access to information regimes are now in retreat.



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CONFERENCE PROCEEDINGS

Throughout the conference, participants grappled with the fundamentally political aspects of access to information, such as the motivations of public and private actors to contribute to or impede it. This was evident the evening before the conference officially opened, when many participants attended Conversations at The Carter Center, an annual series of public discussions on timely political topics. The theme for Conversations was “Are We Safer with Secrecy?” and focused on the intersection of security (national and public) and access to information. Although increasingly used as a reason to deny information, particularly following the events of Sept. 11, 2001, the panelists argued that greater openness in fact serves to enhance national and personal security as it improves decision making and allows for necessary accountability.

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Opening and Human Rights

During the first day of the conference, participants reflected on their experiences relating to access to information, past and present. Diego Garcia-Sayan, vice president of the Inter-American Court of Human Rights, served as the opening lunch speaker, focusing his remarks on the seminal *Claude Reyes v. Chile* court case. His presentation framed the issue of access to information as a fundamental human right and served as the starting point for deliberations. President Carter opened the first plenary panel of the conference, along with Juan Ramón Quintana, minister of the presidency of Bolivia; Maharafa Traoré, minister of justice of Mali; and Laura Neuman, access to information project manager for The Carter Center. The remainder of the afternoon included panels on access

to information as a tool for socioeconomic rights and development, access to information and governance, and the state of access to information, including case studies on successes and challenges. The format of the first day helped to lay the foundation of access to information as a fundamental human right and emphasized its value beyond just the fight against corruption.

Socioeconomic Rights

Inquiry into the impact of ATI on development was the main focus of the first plenary panel, “ATI as a Tool for Socioeconomic Rights and Development.” Participants on this panel discussed the important link between ATI and pro-poor policies for effective development practices, recognizing the issue as a priority agenda item for the advancement of ATI. Panelists emphasized that democracy alone cannot bring about economic, social, and human development, and it is essential to recognize that ATI can help democracies change people’s lives by stimulating development.

Good Governance

The second panel, “ATI as a Tool for Good Governance,” focused on the nexus between ATI and governance, considering questions such as: How does access to information make governments and governing bodies more effective and how can it increase the ability of governments to relate to their citizens? Panelists concluded that access to information advances government capacity to formulate and implement policy, make decisions, and ultimately, meet citizen demands.



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Case Studies

The last panel was conceived with the primary purpose of examining the state of ATI around the world. More than 70 countries in the world have

ATI laws, and with each of these global triumphs come the corresponding possibility to share the experiences and learn from the countless lessons. Five case studies were presented in this panel—Jamaica, United States, Bulgaria, China, and Mexico—with each country presenting a unique ATI regime. Borne out of their distinct cultural, political, and social circumstances, the instruments are structurally diverse and implemented differently yet share many similar challenges. The panelists contributed to the idea that future success will depend on the extent to which citizens embrace the right.

Working Groups

The second day of the conference was dedicated to group work, with the participants strategically placed into five groups of multiple stakeholders. With strong facilitation in each working group during the conference, the participants emerged with a number of specific recommendations and action items. Each group was assigned one specific topic to explore:

- Politics and Economy: shifting the balance toward openness
- Structural and Cultural Context: creating an environment for transparency
- Non-state and Multilateral Actors: examining roles and responsibilities
- International Norm Building: considering universal standards and a global community
- Indicators and Measurement: demonstrating and improving impact

Accountability

Featured on the second-day were keynote addresses from renowned persons. At the lunch, participants heard prepared comments from Huguette Labelle, Chair of the Board of Transparency International and Chancellor of the University of Ottawa, regarding the importance of access to information for holding officials accountable. She shared her global perspective of the value of access to information in the fight against corruption, as well as drawing from her own past experiences as President of CIDA and senior civil servant in Canada. At the special conference dinner, human rights defender and South African Constitutional Court Justice Albie Sachs spoke of the effects of secrecy under the apartheid regime and the extraordinary impact that transparency and the right to information has had on the country and its people.

Reports and Plenary Discussion

Under President Carter's leadership, on the third and final day, the facilitators reported on the deliberations and findings of their working groups. A draft conference declaration was distributed, and participants were provided a short opportunity to

comment on the working group considerations or the document. President Carter closed the conference with a request that all participants submit their comments and suggestions for strengthening the declaration. Additionally, he promised to review, make final edits, and personally ensure the wide distribution of the Atlanta Declaration to international organizations, regional bodies, and heads of state. With President Carter's chairmanship, disparate groups from around the world were able to develop a shared agenda for the mutual advancement of the right of access to information, which is captured in the Atlanta Declaration and Plan of Action.

It is essential to recognize that ATI can help democracies change people's lives by stimulating development.



EXECUTIVE SUMMARY

THE ATLANTA DECLARATION AND PLAN OF ACTION FOR THE ADVANCEMENT OF THE RIGHT OF ACCESS TO INFORMATION

The core findings of the conference are captured in the Atlanta Declaration and Plan of Action. The declaration reaffirms the Universal Declaration of Human Rights by stating, “access to information is a fundamental human right,” and asserts that access to information “is essential for human dignity, equity and peace with justice,” and that “a lack of access to information disproportionately affects the poor, women, and other vulnerable and marginalized people.” The Atlanta Declaration further finds that transparency rather than secrecy is indispensable for promoting safety and security and that enacting legislation is necessary but insufficient to ensure a comprehensive right of access to information. In addition to the specific findings section of the declaration, the conference concluded with a number of overall findings, including the need for:

- greater coordination and collaboration among all stakeholders and others engaged in the promotion of transparency and access to information;
- additional scholarship, including quantitative and qualitative analysis of the impact of increased access to information;
- emphasis not only on the passage of a law, but also its implementation and enforcement; and
- the value of the right of access to information beyond just the fight against corruption, to other arenas such as development and governance.

The Atlanta Declaration also establishes a series of key principles, for example that the right of access to information should apply to all branches of government at all levels, to all divisions of international bodies, and even to private corporations in certain circumstances and that all bodies should ensure a system for implementation. It calls upon all states to enact legislation to give effect to the right to information, and includes key tenets that should be respected. Importantly, the Atlanta Declaration reached consensus on a set of tenets that should be included in any access to information law or legal instrument. The final section of the Atlanta Declaration includes a plan of action, which provides a blueprint of activities

Access to information advances government capacity to formulate and implement policy, make decisions, and ultimately, meet citizen demands.

to encourage international and regional bodies, donors, states and corporate, professional, and civil society organizations to take concrete steps to establish, develop, and nurture the right of access to public information across the world. This set of activities will promote the advancement of the right of

access to information, as well as serve as a useful tool for monitoring the impact of the conference and Atlanta Declaration and Plan of Action.

FOLLOW UP

Following the conference, the Carter Center incorporated substantive comments from more than 60 participants into the draft declaration. On March 26, 2008, the final version of the Atlanta Declaration and Plan of Action was released. It has been translated into the three official conference languages (English, Spanish, and French) as well as Chinese, Portuguese, and Bulgarian and widely distributed. President



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Carter sent a personal letter of encouragement for the advancement of access to information, attaching the Atlanta Declaration and Plan of Action, to more than 200 heads of state, development banks, and regional and international organizations. The declaration has been the basis for numerous articles, speeches, blogs, and official government and multi-lateral organization documents.

IMPACT

The declaration's dissemination has made an impact, including personal commitments to its doctrine and several governmental bodies incorporating these principles and tenets into their own draft ATI recommendations, reports, and instruments and citing or annexing the declaration. As part of the dissemination plan, in order to inform the debate, the Atlanta Declaration and Plan of Action was sent to the Council of Europe in advance of its meeting on the proposed Convention on Access to Information. Furthermore, the principles and action items of the Atlanta Declaration served as a framework for the "Recommendations on Access to Information," a consensus document of the Organization of American States (OAS) that was presented to the

its Committee on Political and Juridical Affairs, and then again to all foreign ministers at the full general assembly in June. The declaration also was referenced in the working draft of the OAS Inter-American

Juridical Committee's Right to Information Principles.

Significantly, a number of ministers who attended the conference returned to their countries energized to begin or revisit the legislative process, including Liberia, Sierra Leone, and Bolivia. One of the action items called on the access to information community "to build solidarity with a full range of stakeholders who share a common transparency agenda."

In response, The Carter Center began hosting the international calendar of access to information and transparency events on its Web site to enhance cooperation and coordination and allow organizations to better promote and share their work. The Carter Center continues to disseminate the declaration and monitor its use, including distribution, postings, and references as well as focus on the action points to ascertain when and in what way they are being implemented.

The right of access to information should apply to all branches of government at all levels, to all divisions of international bodies, and even to private corporations in certain circumstances.

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Atlanta Declaration and Plan of Action for the Advancement of the Right of Access to Information



International
Conference on
the Right to
Public Information

February 27–29, 2008

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ATLANTA DECLARATION AND PLAN OF ACTION FOR THE ADVANCEMENT OF THE RIGHT OF ACCESS TO INFORMATION

We, over 125 members of the global access to information community from 40 countries, representing governments, civil society organizations, international bodies and financial institutions, donor agencies and foundations, private sector companies, media outlets and scholars, gathered in Atlanta, Georgia from February 27-29, 2008, under the auspices of the Carter Center and hereby adopt the following Declaration and Plan of Action to advance the passage, implementation, enforcement, and exercise of the right of access to information:

PREAMBLE:

Recognizing that Article 19 of the Universal Declaration of Human Rights, Article 19 of the International Covenant of Civil and Political Rights, Article 13 of the American Convention on Human Rights, and Article 9 of the African Charter on Human and People's Rights provide for a right to "seek, receive and impart information," and Article 10 of the European Convention on Human Rights establishes a similar right to "receive and impart information;"

Emphasizing that the Inter-American Court of Human Rights in the case of *Claude Reyes v. Chile* found that Article 13 of the American Convention on Human Rights recognizes a general right of access to information and that states must provide a system for exercising that right;

Considering that the Council of Europe, the Organization of American States, and the African Commission on Human and People's Rights have adopted clear statements and declarations on the right of access to information, that there are important right to information initiatives underway at the Organization for Economic Cooperation and Development, and that the recent United Nations Convention Against Corruption calls on all states to ensure that the public has effective access to information;

Acknowledging that the right of access to information is a foundation for citizen participation, good governance, public administration efficiency, accountability and efforts to combat corruption, media and investigative journalism, human development, social inclusion, and the realization of other socio-economic and civil-political rights;

Appreciating that the right of access to information promotes efficient markets, commercial investment, competition for government business, fair administration and compliance of laws and regulations;

Convinced that political commitment to the right of access to information is necessary for adoption and full implementation and enforcement of access to information legislation and instruments;

Stressing that although there have been great advances in the right of access to information over the past decade, there remain many challenges including the absence of national legislation, widely varying levels of implementation, and continued political resistance;

FINDINGS:

The assembled conference hereby finds that:

1. The fundamental right of access to information is inherent in all cultures and systems of government.
2. A lack of access to information disproportionately affects the poor, women and other vulnerable and marginalized people, and as such the right should be guaranteed to all sectors of society.
3. The right of access to information is fundamental to human dignity, equity and peace with justice.
4. Transparency is a necessary and powerful instrument for promoting human and state security.
5. New technology offers a great potential for facilitating access to information, yet factors that limit access and data management practices have prevented many from benefiting from its full potential.
6. Enacting a comprehensive law is essential, but insufficient, to establishing and sustaining the right of access to information.
7. Equally important is constructing an appropriate institutional framework and developing public administration capacity to manage and provide information.
8. It also is critical to raise public awareness of the right of access to information, ensure capacity to exercise the right including through public education, and foster support for transparency among all sectors of society.
9. A free and independent media is a fundamental component to the establishment and full enjoyment of the right of access to information.

PRINCIPLES:

Further to these findings, we set out the following key principles:

1. Access to information is a fundamental human right.
2. All states should enact legislation to give effect to the right of access to information.
3. The right of access to information applies to all intergovernmental organizations, including the United Nations, international financial institutions, regional development banks, and bilateral and multilateral bodies. These public institutions should lead by example and support others efforts to build a culture of transparency.
4. The right of access to information should be entrenched in international and regional instruments as well as national and sub-national laws and should respect the following tenets:
 - a. Access to information is the rule; secrecy is the exception;
 - b. The right of access to information should apply to all branches of government (including the executive, judicial and legislative bodies, as well as autonomous organs) at all levels (federal, central, regional and local) and to all divisions of the international bodies listed above;

- c. The right of access to information should extend to non-state actors under the conditions enumerated in principle 5 below;
 - d. The right of access to information should include a right to request and receive information, and a positive obligation on public institutions to disseminate information related to their core function;
 - e. The right to request information is independent of a personal interest in that information, and there should never be a need to provide a justification or reason;
 - f. The instrument or law should include procedures designed to ensure the full implementation and ease of use, with no unnecessary obstacles (such as cost, language, form or manner of request) and with an affirmative obligation to assist the requester and to provide the requested information within a specified and reasonable period of time;
 - g. Exemptions to access to information should be narrowly drawn, specified in law, and limited only to those permitted by international law. All exemptions should be subject to a public interest override, which mandates release of otherwise exempt documents when the public benefit of release outweighs the potential public harm;
 - h. The burden of proof to justify a denial should always fall on the holder of information;
 - i. The instrument should mandate full disclosure, after a reasonable period of time, of any document that was classified as secret or confidential for exceptional reasons at the time of its creation;
 - j. The instrument should include clear penalties and sanctions for non-compliance by public officials; and
 - k. The requester should be guaranteed a right to appeal any decision, any failure to provide information, or any other infringement of the right of access to information to an independent authority with the power to make binding and enforceable decisions, preferably an intermediary body such as an Information Commission(er) or Specialist Ombudsman in the first instance with a further right of appeal to a court of law.
5. The right of access to information also applies to non-state actors that: receive public funds or benefits (directly or indirectly); carry out public functions, including the provision of public services; and exploit public resources, including natural resources. The right of access to information extends only to the use of those funds or benefits, activities or resources. In addition, everyone should have the right of access to information held by large profit-seeking corporations where this information is required for the exercise or protection of any human right, as recognized in the International Bill of Rights.
6. States and international organizations should ensure a system of implementation that provides for:
- a. The equitable exercise of the right of access to information;
 - b. Training of all public officials on the practice and application of the right;
 - c. Public education and training to empower persons to make full use of the right;
 - d. Allocation of necessary resources to ensure efficient and timely administration;
 - e. Strengthening of information management to facilitate access to information;
 - f. Regular monitoring and reporting on operation of the law; and

- g. Review of the operation and compliance with the law, by legislative and key oversight bodies.
7. Companion legislation that would further promote the right of access to information and provide a supportive legislative framework should be enacted, including: laws compelling disclosure of political party and campaign financing; lobbying disclosure; archiving legislation; whistleblowing protection; and professional public administration laws. Moreover, contradictory provisions, such as those contained within an Official Secrets Act, should be repealed.

PLAN OF ACTION

To give effect to the Findings and Principles, the following action plan should be undertaken:

For the International Community:

1. Intergovernmental organizations - including the United Nations and all of its bodies, Council of Europe, Organization of American States, African Union, the Organization for Economic Cooperation and Development and international financial institutes, regional development banks, and trade bodies - and international and domestic non-governmental organizations should give effect to the right of access to information in accordance with the findings and principles enumerated above.
2. As the first intergovernmental institution to formulate a specific convention on the right of access to information, the member states of the Council of Europe should ensure that the above findings and principles are respected in the future “European Convention on Access to Official Documents.”
3. During the World Bank Group’s forthcoming review of its Policy on Disclosure of Information, the Bank should engage in an open and consultative process to bring its policy into line with the findings and principles enumerated above. Other international governmental organizations also should take steps to adopt or bring their information policies into line with the findings and principles.
4. International and regional bodies should:
 - a. take measures to ensure that all states have effective mechanisms to promote and protect the right of access to information;
 - b. develop instruments on the right of access to information;
 - c. conduct ongoing monitoring of compliance with this right, through formal and informal follow-up mechanisms such as peer review.
5. International donors should support countries’ efforts to establish, implement and enforce the right of access to information by providing technical assistance and sufficient long-term funding, including through new aid modalities such as program-based and sector-wide approaches.
6. Donor funding agreements should require that donors and recipients provide access to information regarding the amount and use of international funds.

7. Regional and international bodies considering the establishment of right of access to information instruments should ensure that they consult fully with civil society and with experts in the right of access to information. A panel of experts should be convened to support these efforts.
8. Passage and implementation of access to information laws should be prioritized as essential to reporting on progress toward and achievement of the Millennium Development Goals.
9. Donors should provide funding to support monitoring, analysis and assessment of the implementation and impact of the right of access to information, including through scholarly research, the development of appropriate indicators and practical evaluation tools.

For States:

10. Every state should provide for the right of access to information in keeping with the findings and principles enumerated above.
11. States should integrate promotion of the right of access to information into their own national development and growth strategies and sectoral policies.
12. States should seek multi-stakeholder partnerships to enhance their capacity to implement the right of access to information in practice.
13. States should establish independent enforcement mechanisms, such as Information Commissions, that provide for accessible, affordable, and timely appeal remedies. Where appropriate these bodies should have the power to make binding decisions and order disclosure of information.
14. States should put in place effective information management policies and systems, which facilitate their ability to properly create and maintain records and discharge their right to information obligations.
15. Effective training methods should be developed for officials charged with the responsibility of providing access to information along with structures for the sharing of best practice from around the world, and support from non-governmental organizations and donors should be sought.
16. To give effect to the right of access to information held by profit-seeking corporations, states should establish rules which ensure minimal administrative burdens, exemptions in accordance with general principles governing the right of access to information, and a threshold test for size to define which entities are subject to this duty.
17. Access to information regimes should incorporate some mechanisms for monitoring and evaluation, including quantitative and qualitative measurement, collection of statistics, and mandatory annual reporting.

For Corporate, Professional and Civil Society Organizations:

18. Multi-national corporations and large domestic businesses should establish voluntary commitments to proactively disclose information in the public interest, and such efforts should be encouraged and supported.
19. Technology innovators should develop and share new methods for the promotion of the right of access to information.
20. Additional scholarship and study on the right of access to information, implementation of relevant laws, socio-economic impact, politics of compliance, exercise of the right, its enforcement, and how it changes peoples' lives should be undertaken.
21. Right of access to information advocates should focus further efforts to develop and update guidelines on the drafting of right to information instruments and national laws, as well as on their implementation. These guidelines should be widely disseminated with a view to promoting right to information regimes that conform to the above principles.
22. All stakeholders should engage in the monitoring and assessment of the implementation and impact of the right of access to information, including through the development of appropriate indicators and practical evaluation tools.
23. Civil society should ensure full enjoyment of the right of access to information by demanding and using public information, and promoting and defending the right.
24. A free and independent media should be developed and promoted, and journalists should be trained in use of the right to information.
25. The access to information community should strive to build solidarity with a full range of stakeholders who share a common transparency agenda.
26. The Carter Center will work with others to disseminate the Atlanta Declaration, through high level communications, publications, conferences and meetings.

We call upon all states, international and regional bodies, and the global access to information community to establish, develop and nurture the right of access to information across the world, in accordance with the findings and principles enunciated in this Declaration and to commit to the plan of action in furtherance of our common objective.

Atlanta Georgia
February 29, 2008

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