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ARTICLE 19

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Inter-American Juridical Committee: ARTICLE 19 Welcomes Official Statement on the Right to Know

On 7 August 2008, the Inter-American Juridical Committee, an official body of the Organization of American States, adopted Resolution CJI/RES.147 (LXXIII-O/08) Principles on the Right of Access to Information. The Resolution, as its name suggests, sets out key principles governing the right to information, including recognition of access to information held by public bodies as a fundamental human right.

“ARTICLE 19 very much welcomes the adoption by the Inter-American Juridical Committee of these Principles, which provide valuable guidance as to the scope and implications of the right to information,” said Dr. Agnès Callamard, Executive Director, ARTICLE 19. *“They will be useful to us in advocating for wider recognition of the right in the Americas as well as in other regions of the world.”*

The Inter-American Court of Human Rights recognised the right to information as implicit in the general guarantee of the right to freedom of expression in its decision of 19 September 2006 in the case of *Claude Reyes et al. v. Chile*. The Committee’s Resolution elaborates in some detail on the specific obligations of States in implementing the right to information. Among other things, the Resolution calls for:

- public bodies to be defined broadly;
- clear, fair, non-discriminatory and simple rules for the processing of requests;
- any exceptions to the right of access to be clear and narrow, with the burden of proof lying on any public body seeking to deny access to information;
- the right to appeal to an administrative body against any failures to implement the right; and
- sanctions for those who wilfully deny or obstruct access to information.

The Committee adopted the Principles at its 73rd Regular Session, which is currently being held in Rio de Janeiro, Brazil. ARTICLE 19 provided assistance and feedback to the Committee in the process of elaborating the Principles.

NOTES TO EDITORS:

- The full Resolution is available in English and Spanish, respectively, at:
 - <http://www.article19.org/pdfs/igo-documents/principles-on-the-right-of-access-to-information.pdf>
 - <http://www.article19.org/pdfs/igo-documents/principios-sobre-el-derecho-de-acceso-a-la-informaci-n.pdf>
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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.