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## Chile: Access to Information Law Approved

**Chile is the most recent country in the world to approve access to information legislation. On 11 August 2008, President Michelle Bachelet signed the Law on Transparency of Public Functions and Access to Information of the State Administration (Ley 20.285 – Ley de Transparencia de la Función Pública y el Derecho de Acceso a la Información de los órganos del Estado), establishing obligations, procedures and deadlines for the disclosure of information by public institutions.**

*“This legislation is a very important step that once implemented will increase transparency, good governance, efficiency within public administration, and citizen participation in public affairs. We hope that Chile’s initiative will serve as an example for other Latin American countries which have not yet approved an access to information law”* said Agnès Callamard, ARTICLE 19 Executive Director.

The law goes into effect in April 2009, and establishes that every person has the right to request and receive information from any public institution, including public companies. Individuals requesting information are not required to present a reason for the application and public bodies must reply within twenty days.

If a public institution declines to release the requested information, the denial must be justified in writing, and must include legal grounds for refusal. Any such denied request is then subject to appeal before the Transparency Council; a permanent body composed of four counsellors responsible for overseeing application of the legislation.

The access to information law also obliges public bodies to actively publish key information on the internet, including their own organisational structure, personnel, budget, and contracts, among others.

The new legislation is the result of a historical decision made by the Inter-American Court of Human Rights ordering Chile to implement measures to guarantee the right to access information and adapt current legislation to fit international standards.

In September 2006, *Claude Reyes vs. Chile* formed an important contribution to promoting access to information in Chile. The Inter-American Court recognised that the right to access public information is part of the right to freedom of expression and ordered Chile to release information relating to an environmentalist group’s request for information regarding a deforestation project.

**NOTES TO EDITORS:**

- For a Portuguese version of this press release, visit:  
<http://www.article19.org/pdfs/press/chile-artigo-19-sauda-assinatura-de-lei-de-acesso-a-informacao-publica.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.