

Access to Information: Bolivia

The Promotion of Democracy Through Access to Information



Cover Photo: Courtesy of Wildland Adventures

The Carter Center strives to relieve suffering
by advancing peace and health worldwide; it seeks
to prevent and resolve conflicts, enhance freedom and
democracy, and protect and promote human rights worldwide.

The Promotion of Democracy Through Access to Information: Bolivia





The Carter Center

The Promotion of Democracy Through Access to Information

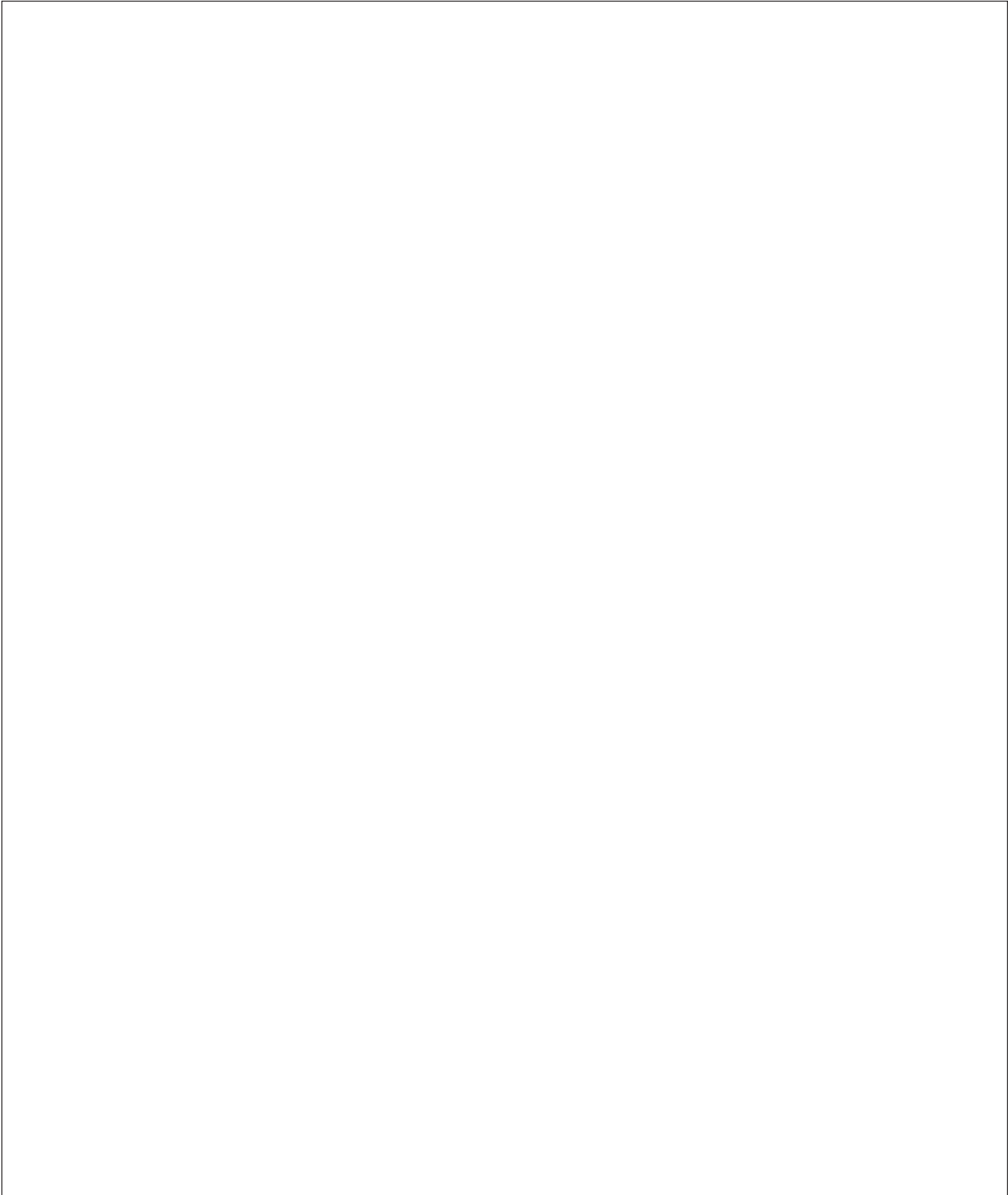




Table of Contents

Foreword

President Jimmy Carter

Acknowledgments

Introduction

The Need for a Right to Information in Bolivia

Nardy Suxo Iturry

Public Administration and Access to Information in Bolivia

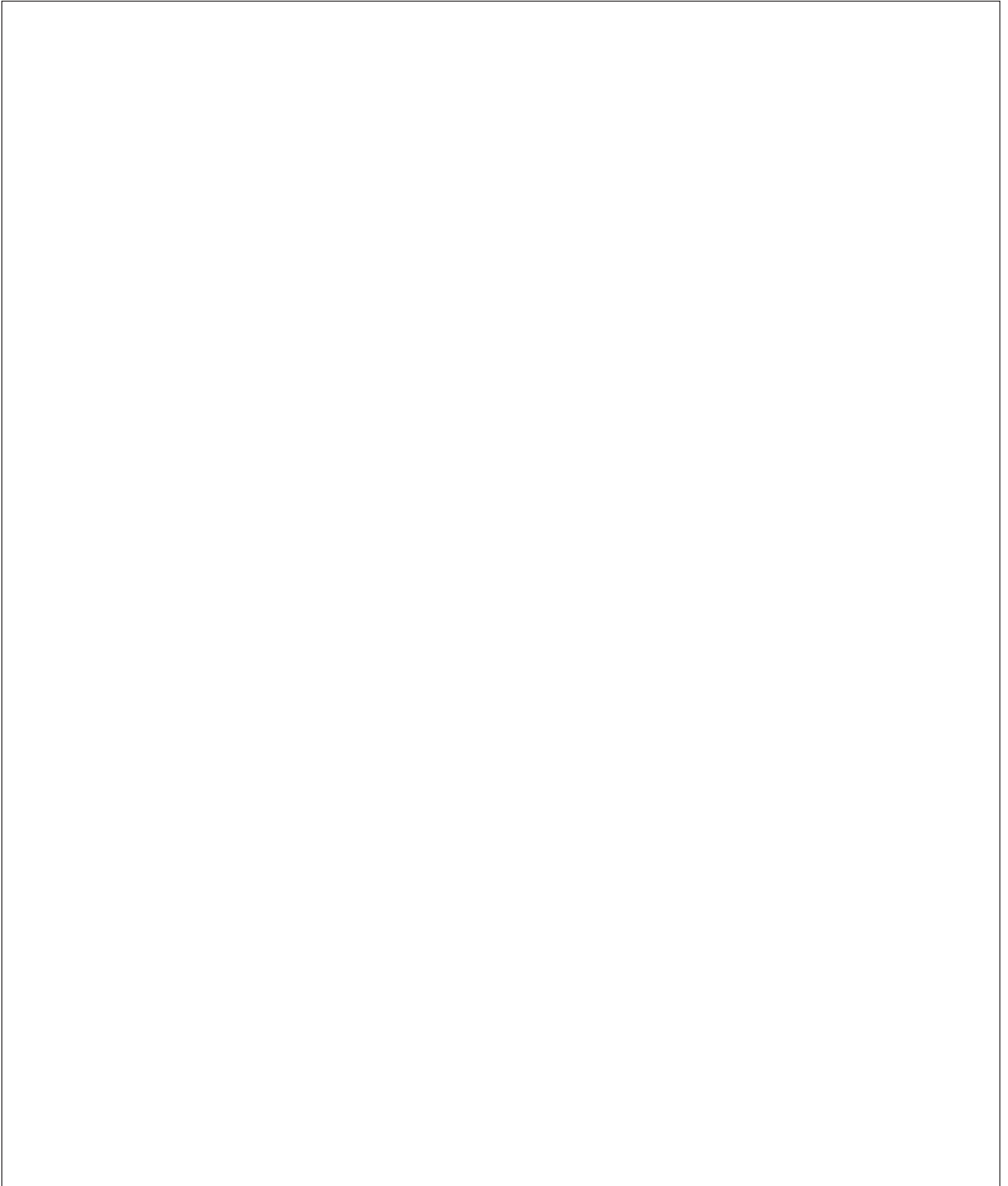
Antonio Birbuet Díaz

Access to Information: A Means to Promote Social and Economic IncEmTf-20.3703 -4 1 Tf0 -2.1818 TD0.0tio1818 TD



The Carter Center

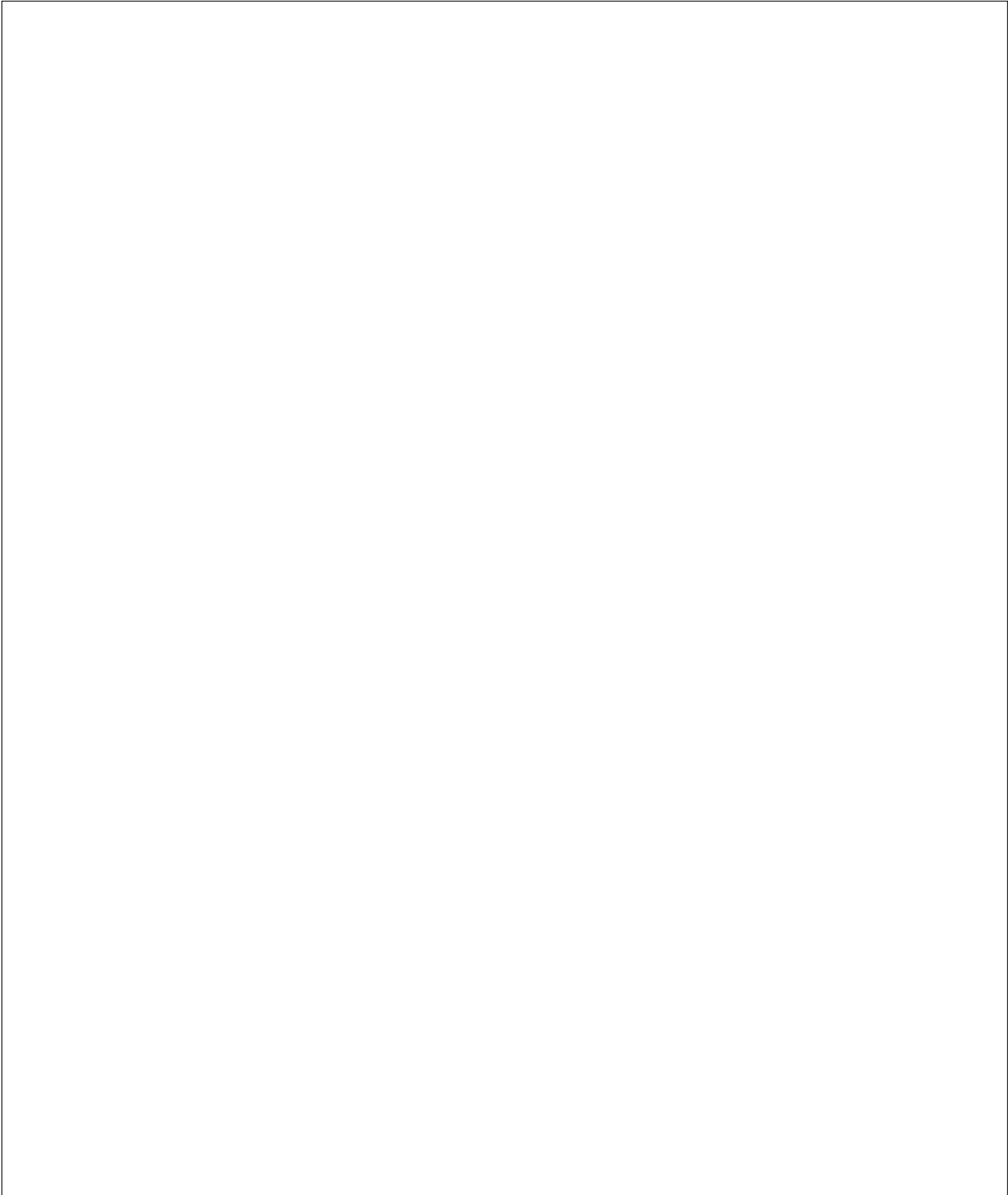
The Promotion of Democracy Through Access to Information

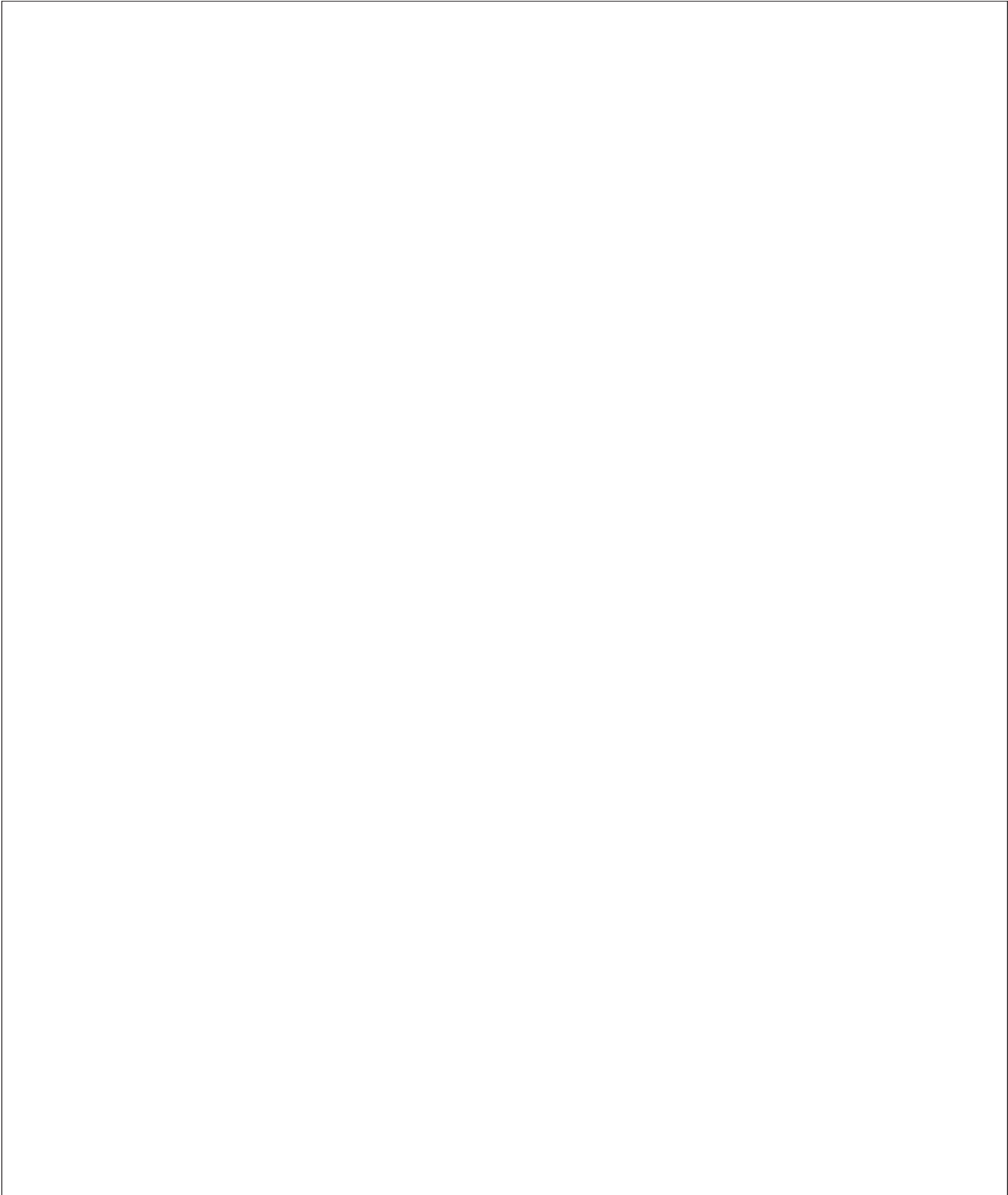




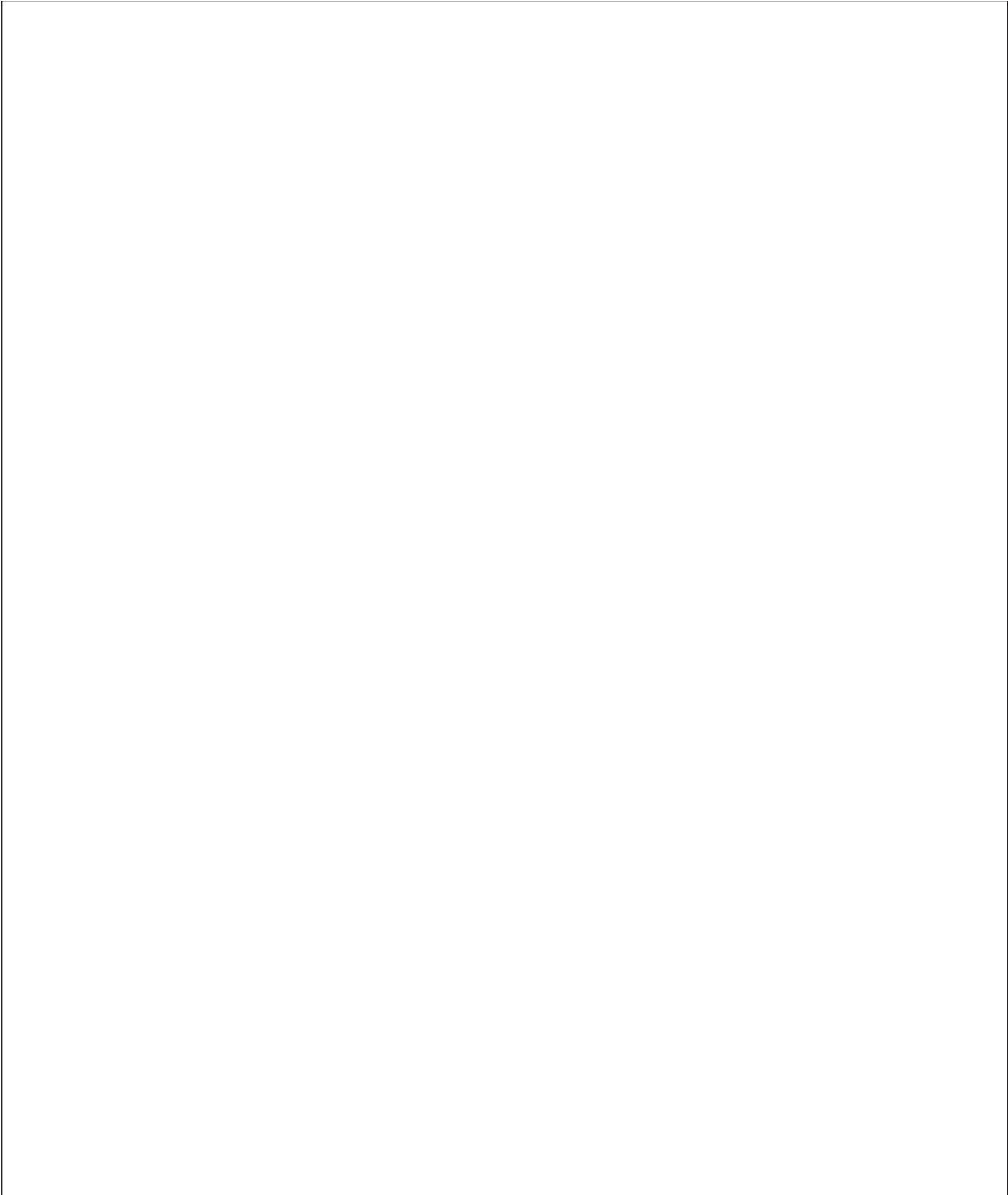








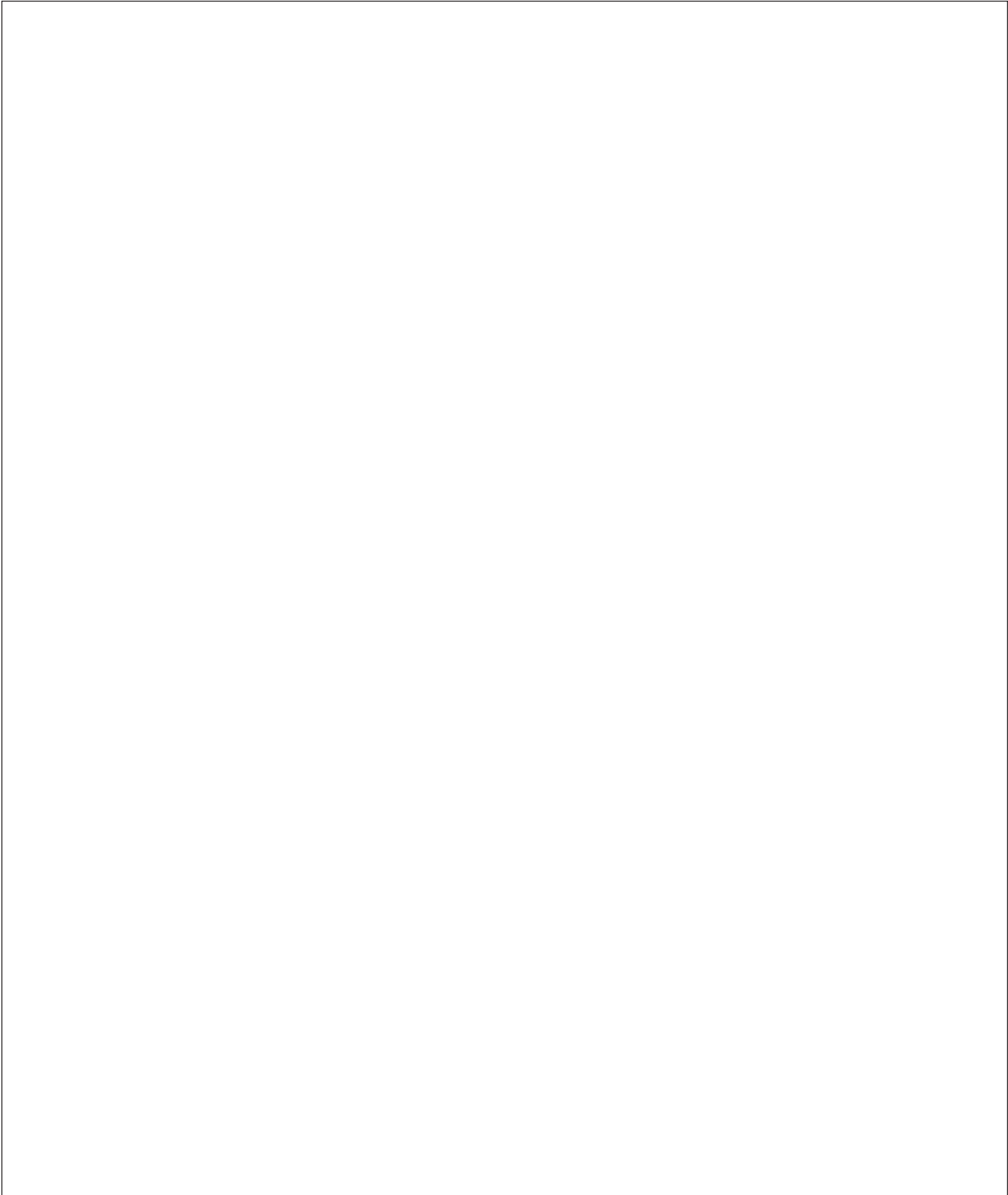






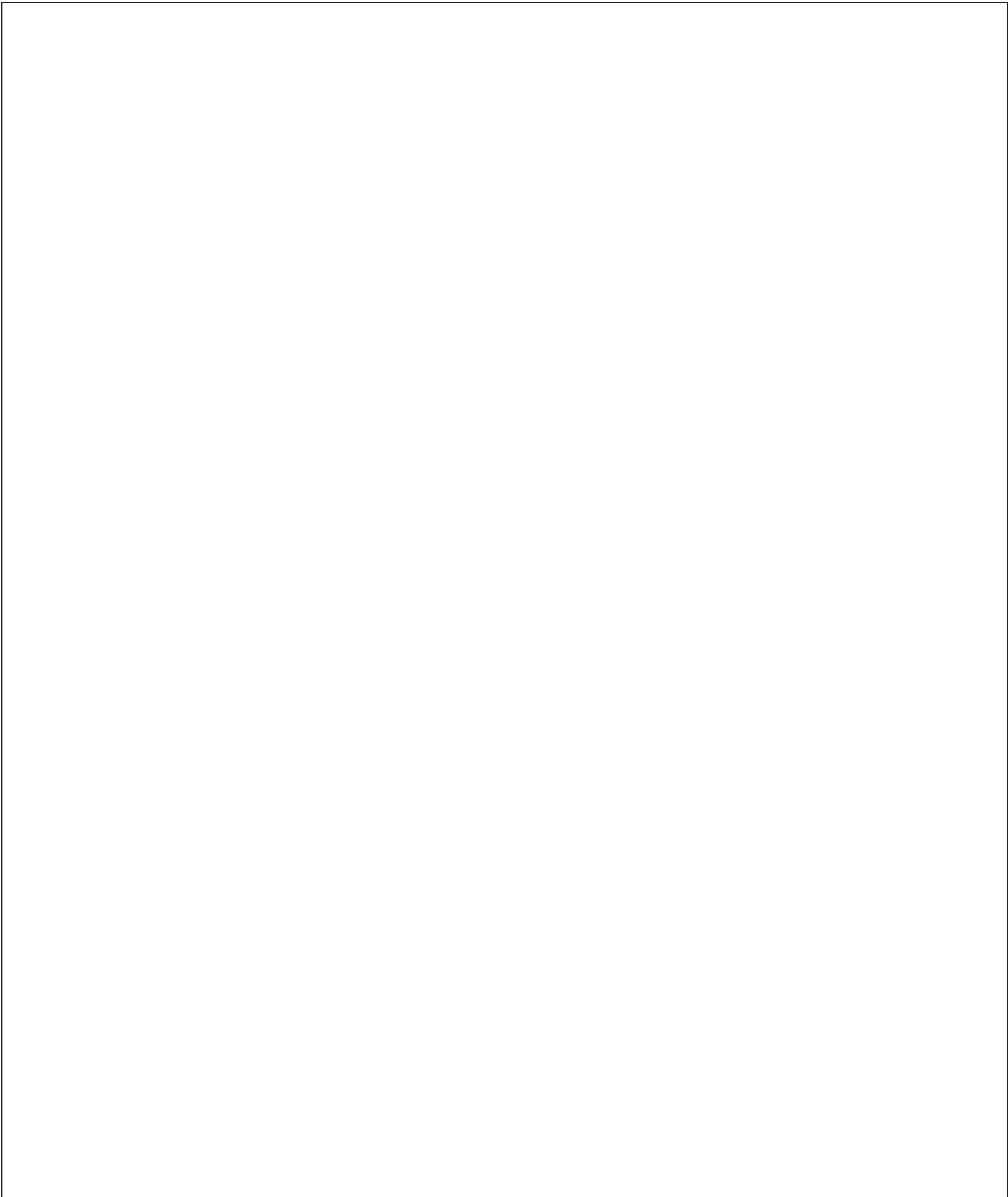
The Carter Center

Public Administration and Access to Information in Bolivia





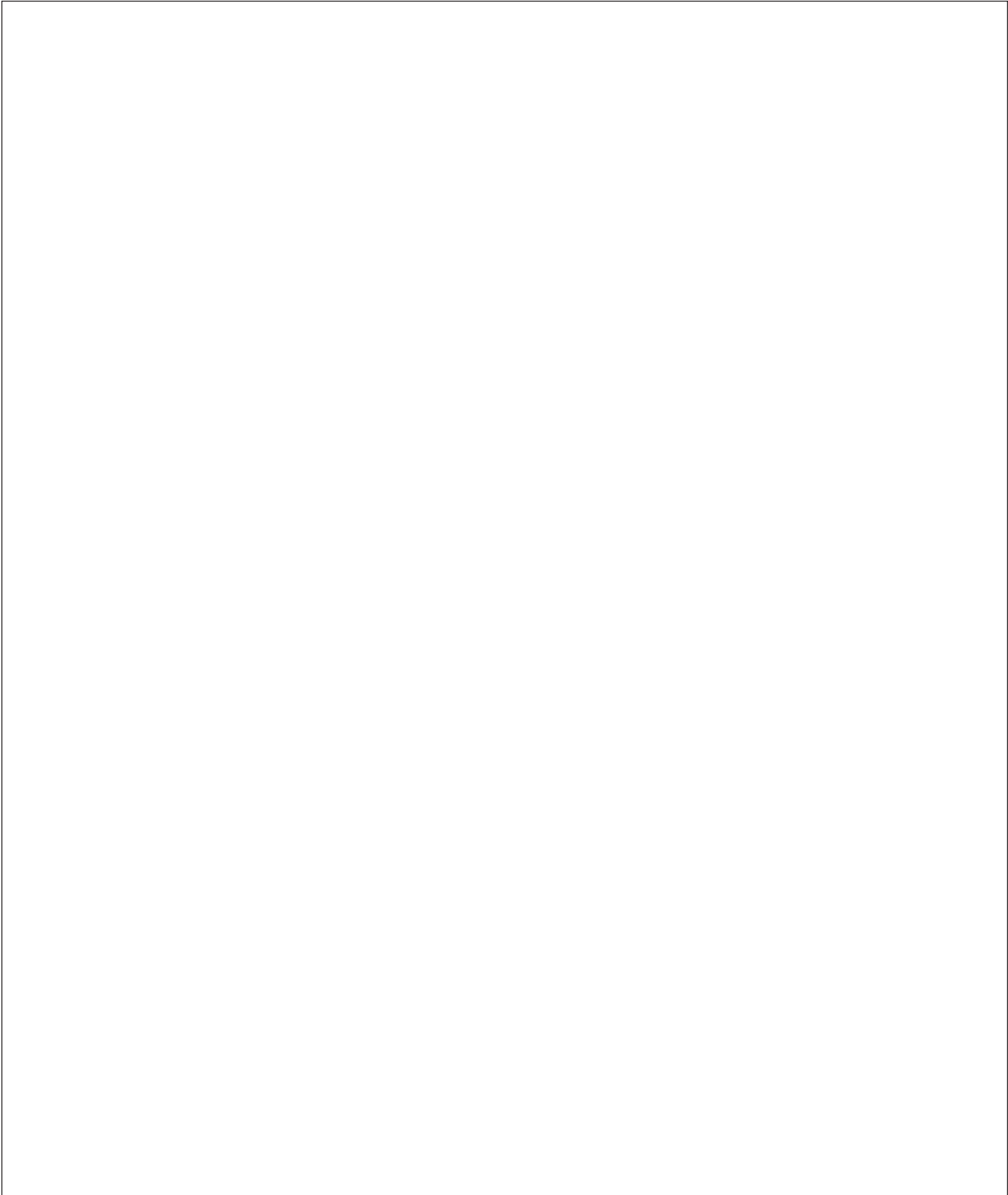
The Promotion of Democracy Through Access to Information

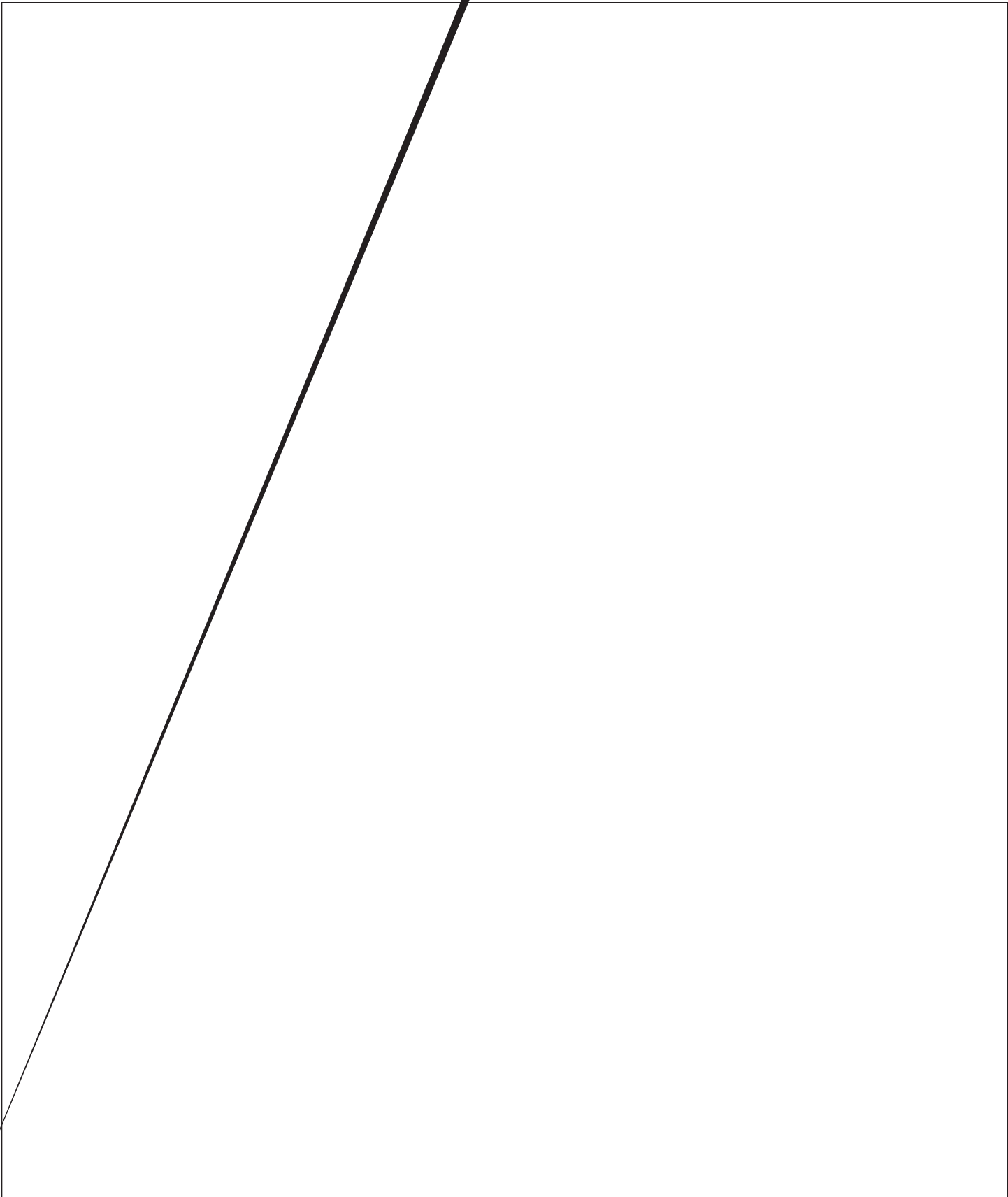




The Carter Center

Public Administration and Access to Information in Bolivia



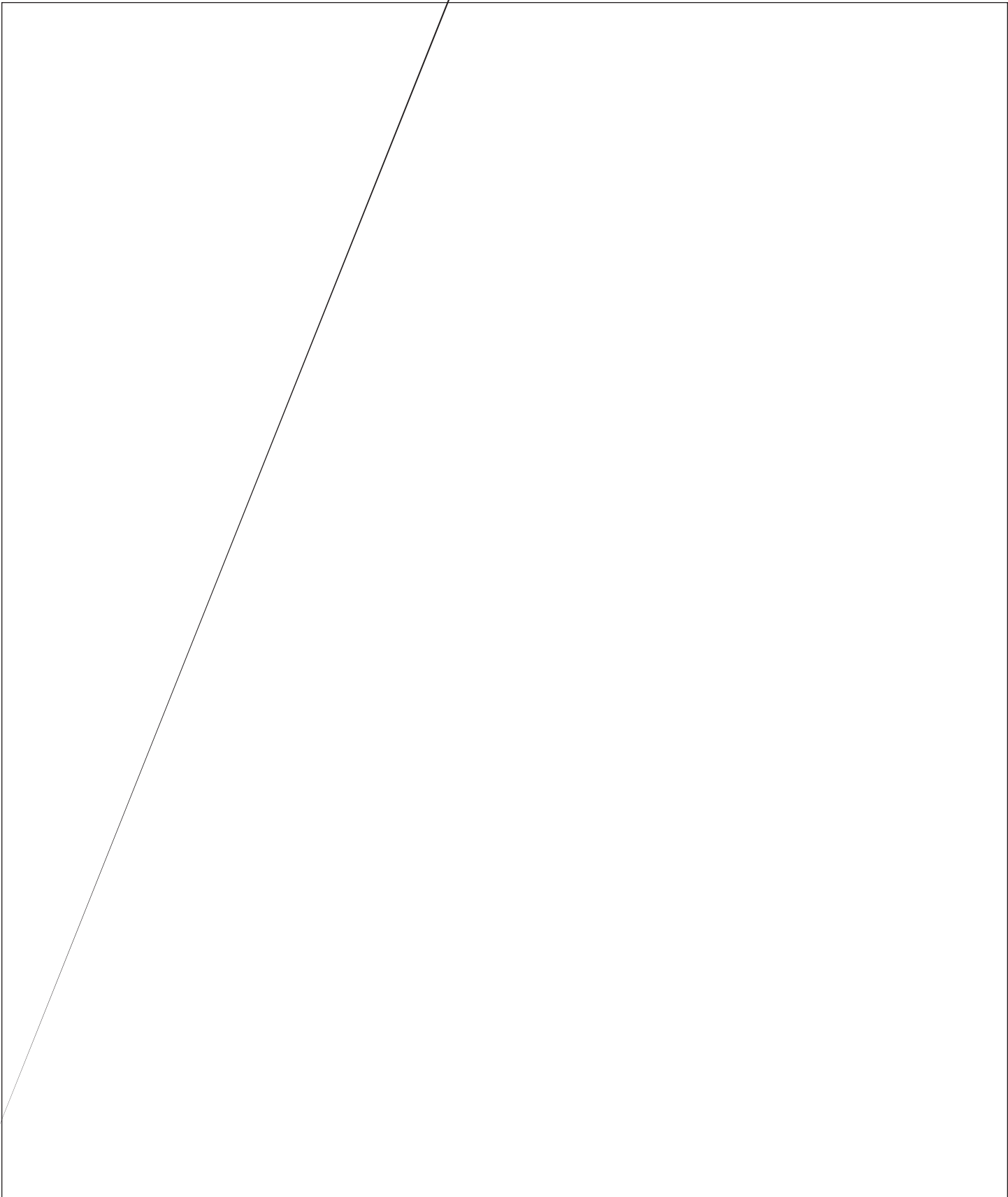






The Carter Center

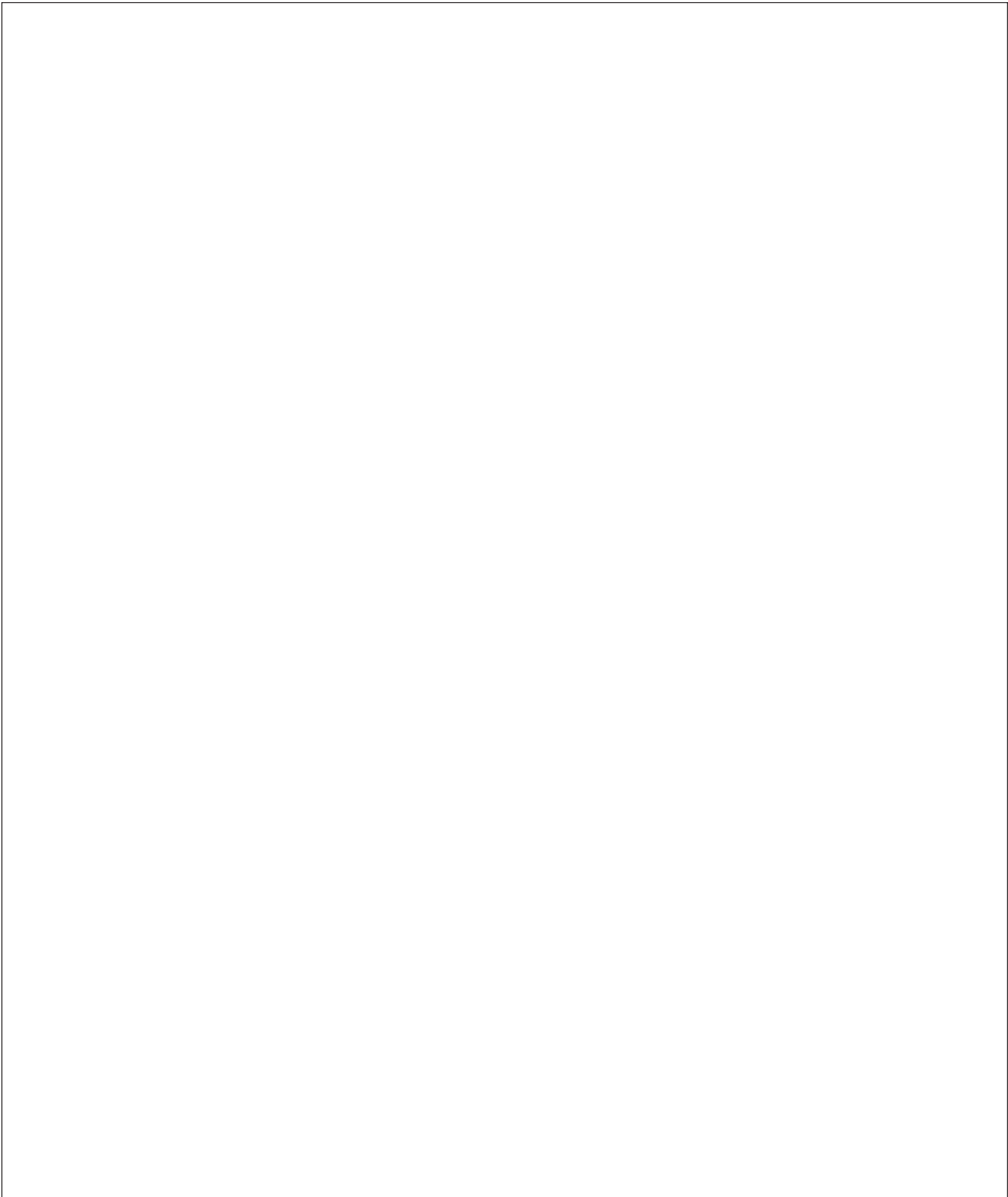
The Promotion of Democracy Through Access to Information



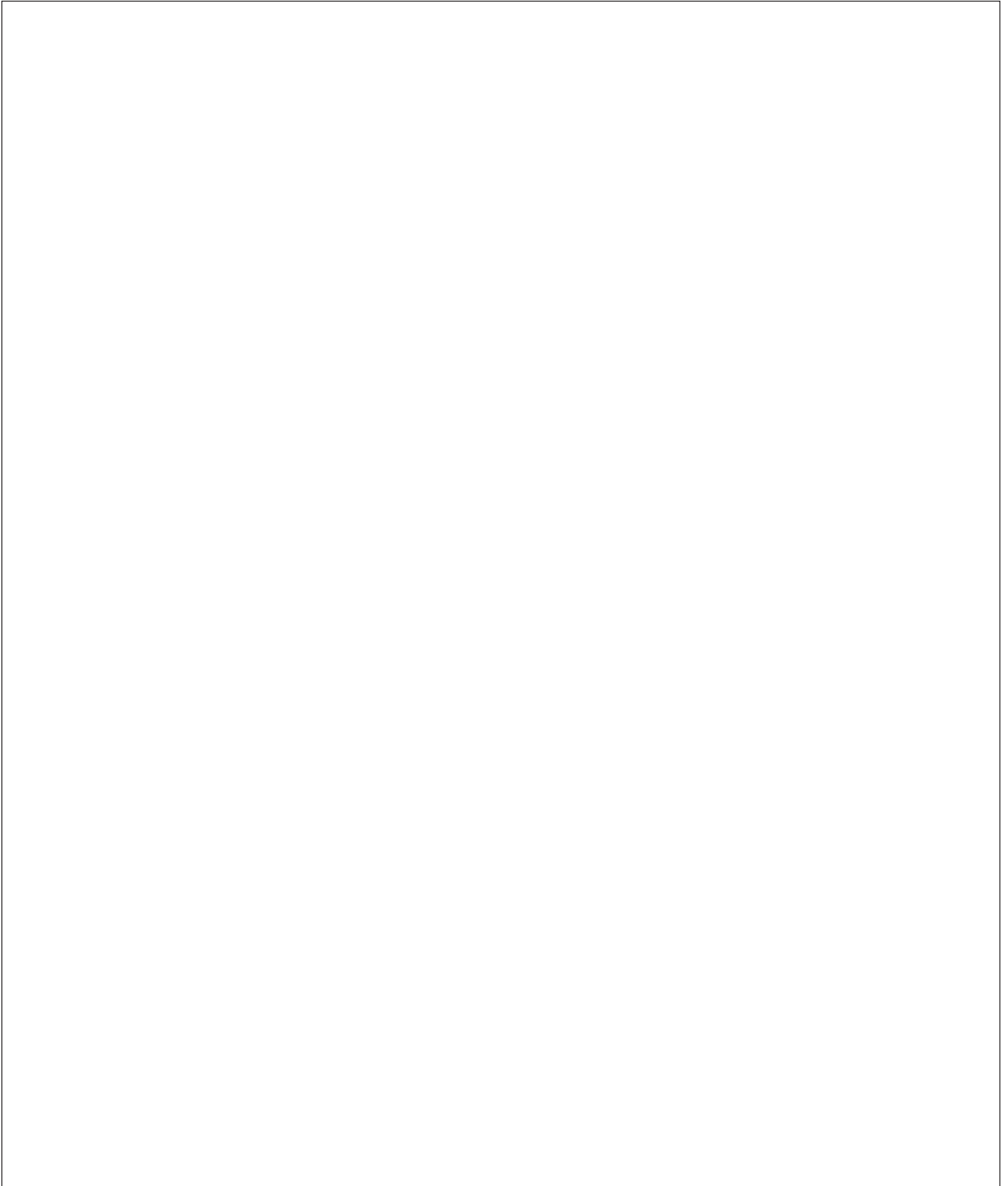


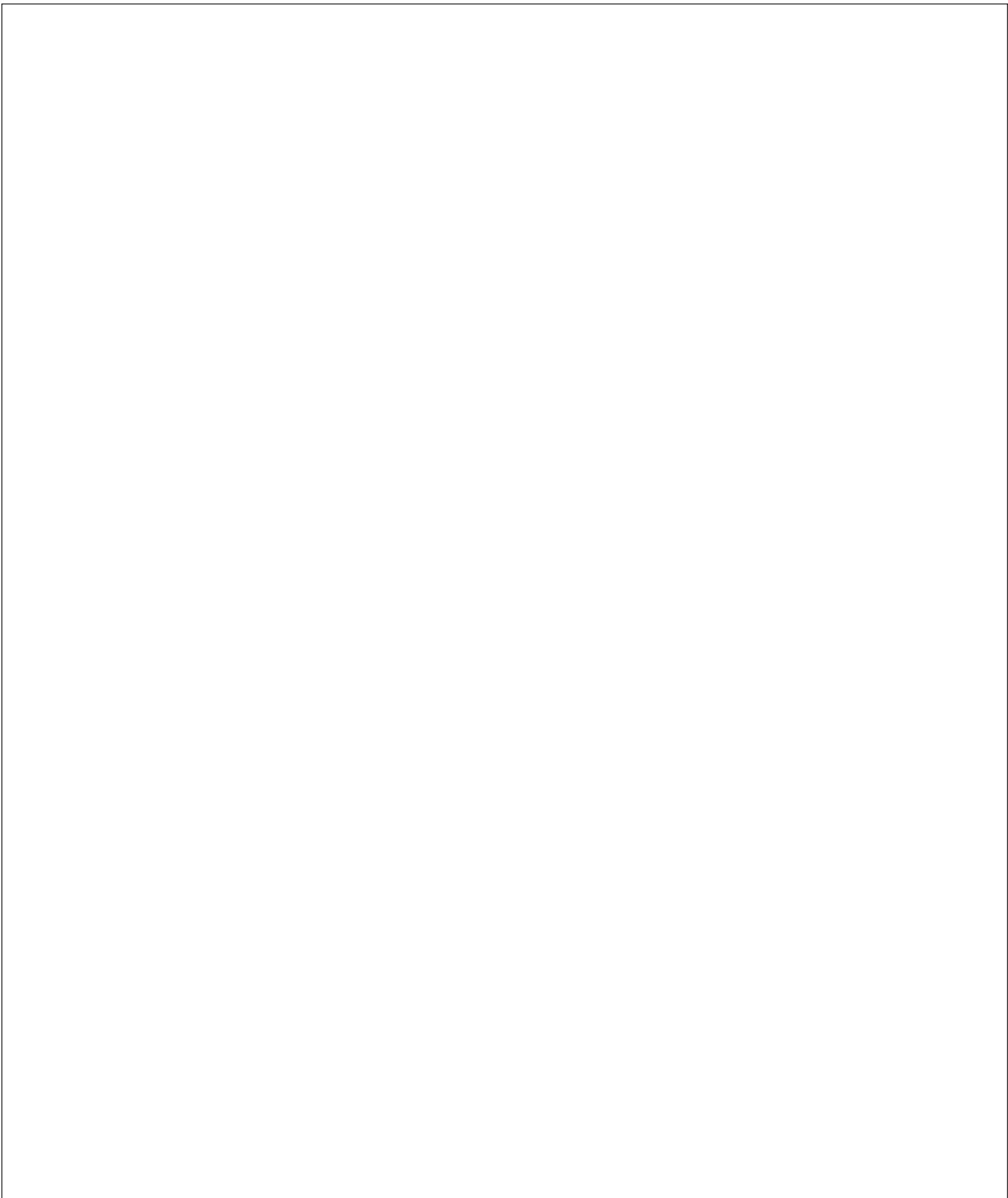
The Carter Center

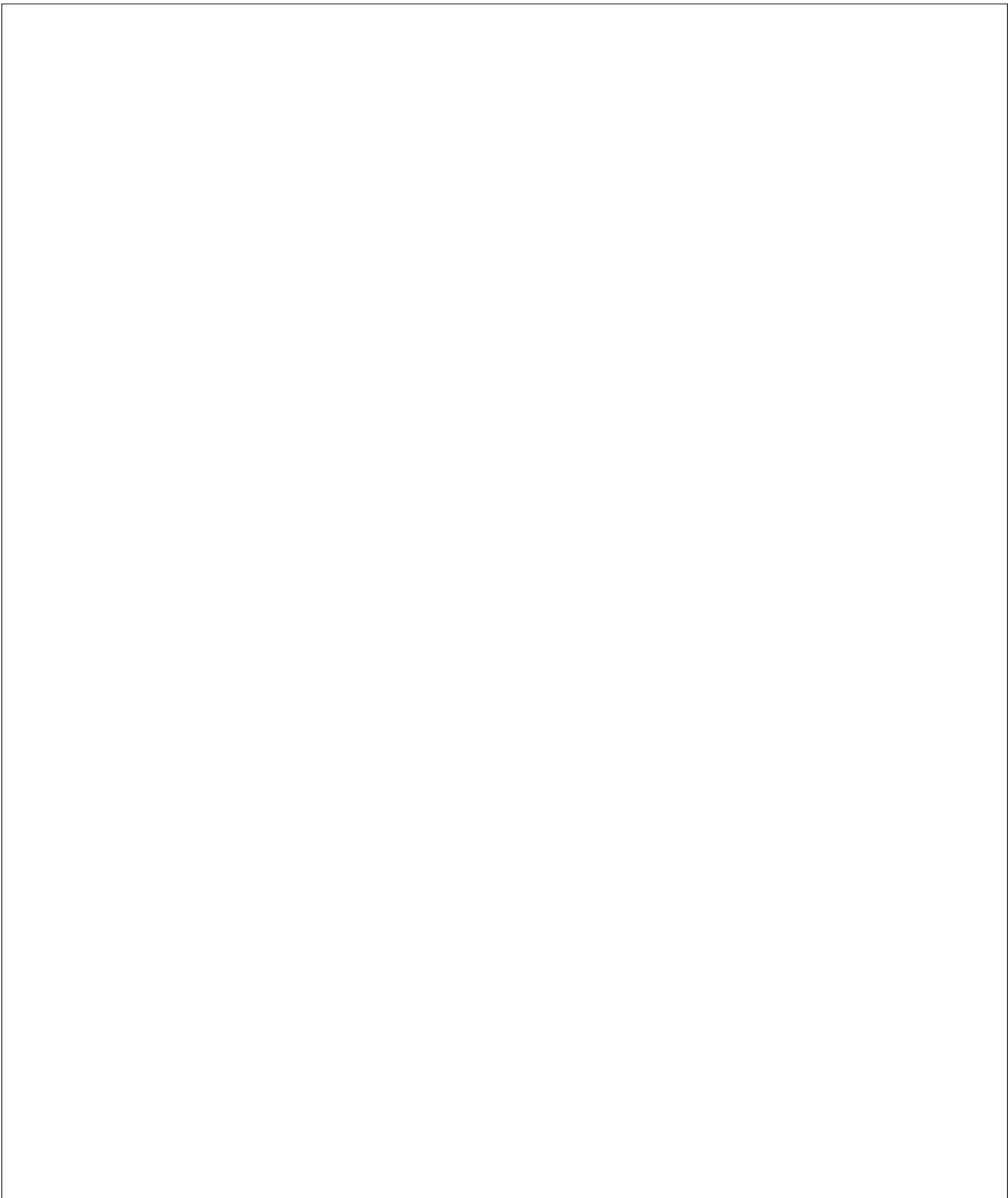
Public Administration and Access to Information in Bolivia



The Promotion of Democracy Through Access to Information



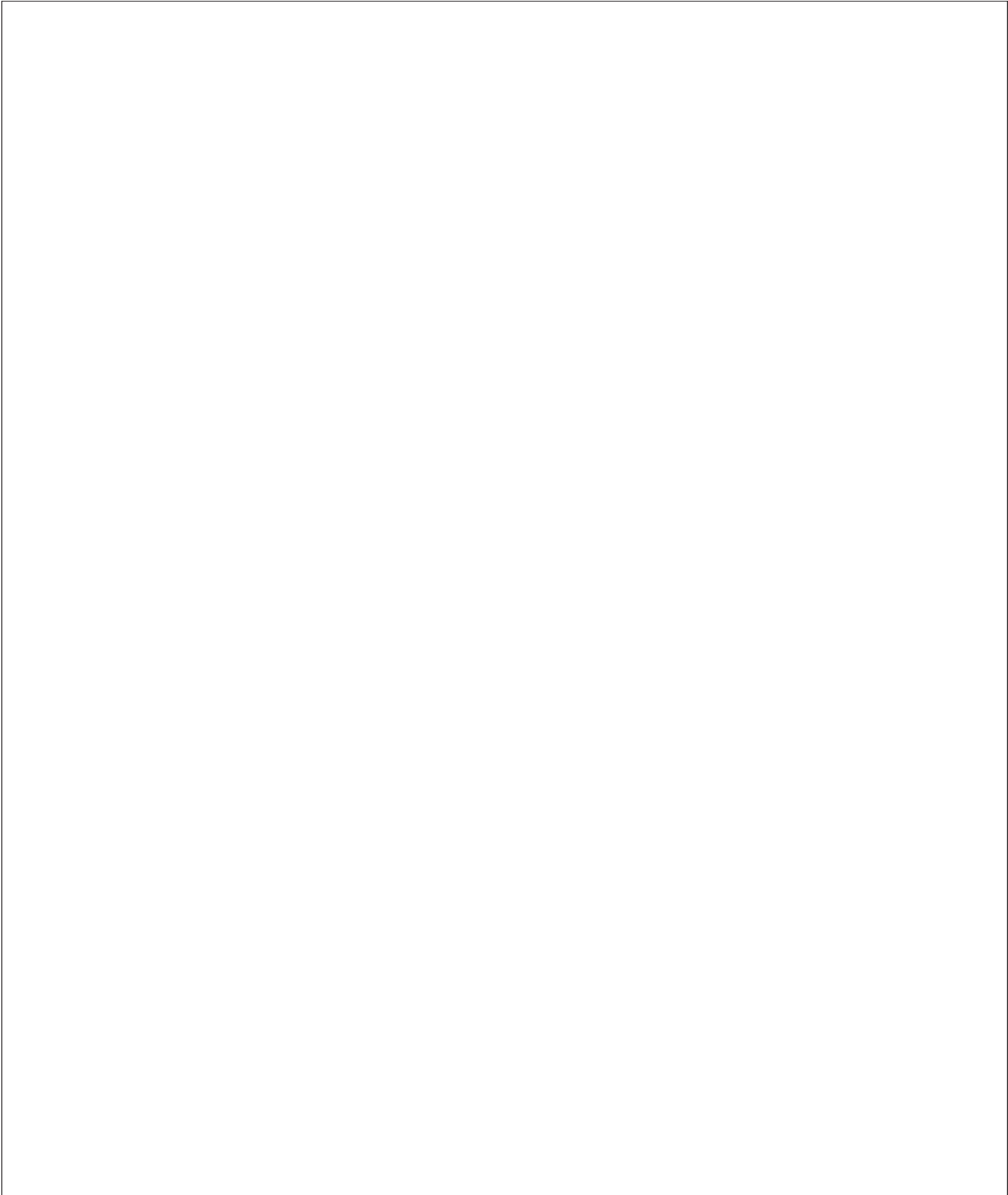






The Carter Center

Access to Information: A Means to Promote Social and Economic Inclusion





The Promotion of Democracy Through Access to Information





Access to Information: A Means to Promote Social and Economic Inclusion







Access to Information and the Fight Against Corruption

Néstor Baragli

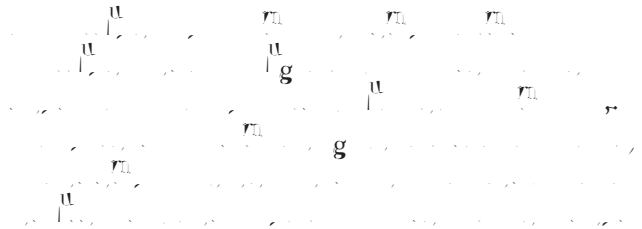
“Nearly 400 years ago, the English philosopher and writer Francis Bacon wrote that knowledge is power. Today, we see that maxim play out in many ways in the political and economic spheres in both rich and poor countries.

In government, a high level of secrecy often enables those in authority to hoard their knowledge to increase their power, hobbling peoples’ ability to take part in the political process in a meaningful way. Behind closed doors, corruption thrives. In the private sector, corrupt corporate captains can keep shareholders in the dark and line their own pockets.

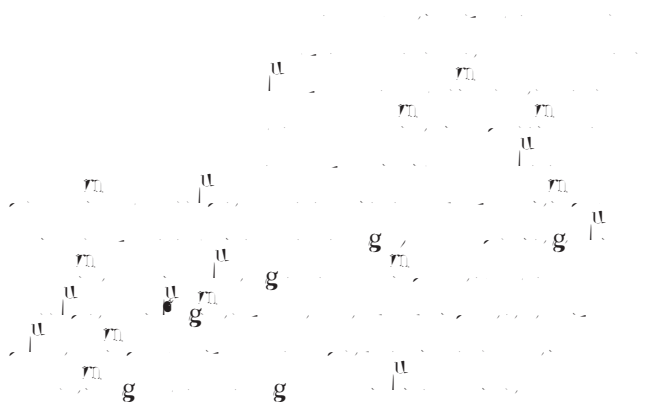
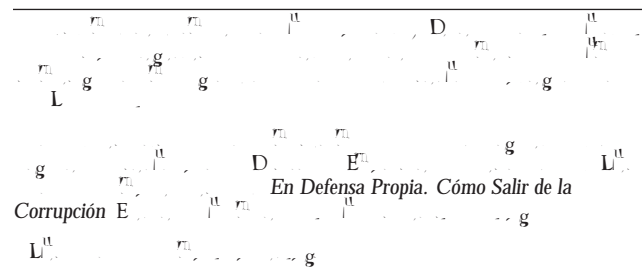
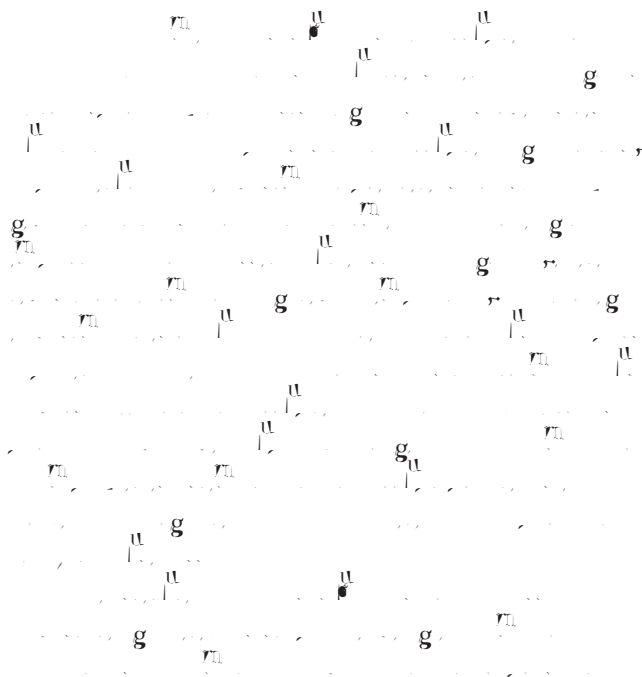
Most countries pay lip service to the value of transparency and openness in government. Some have gone further; they have taken strong actions to promote transparency, recognizing that citizens have a basic right to information and public debate. But there are still far too many governments that withhold information and stifle the media who try to bring knowledge to the public.

[T]his needs to change. It argues that access to information is an essential component of a successful development strategy. To reduce global poverty, we must liberate access to information and improve its quality.”

—Joseph Stiglitz y Roumeen Islam

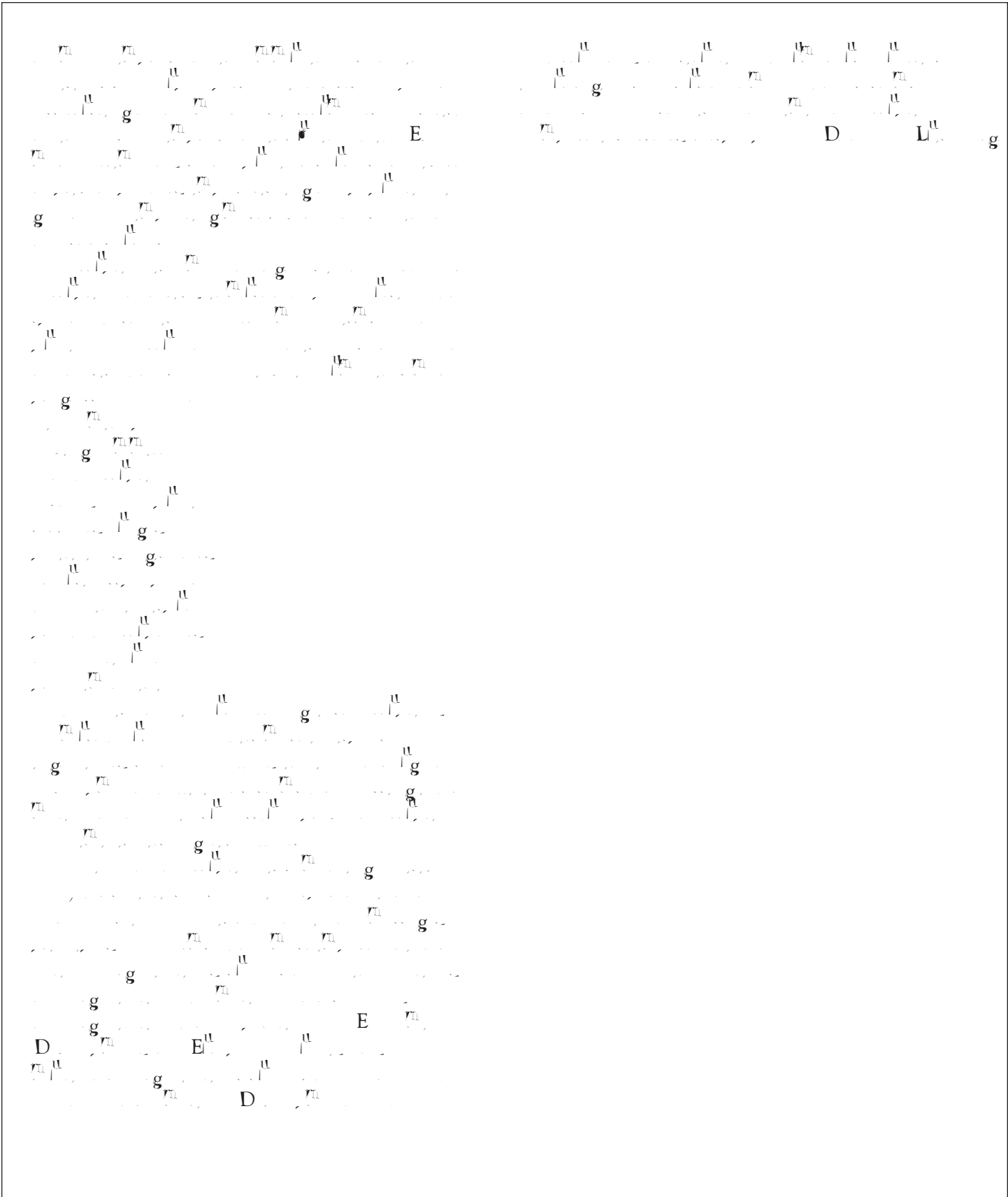


Negative Effects of Corruption

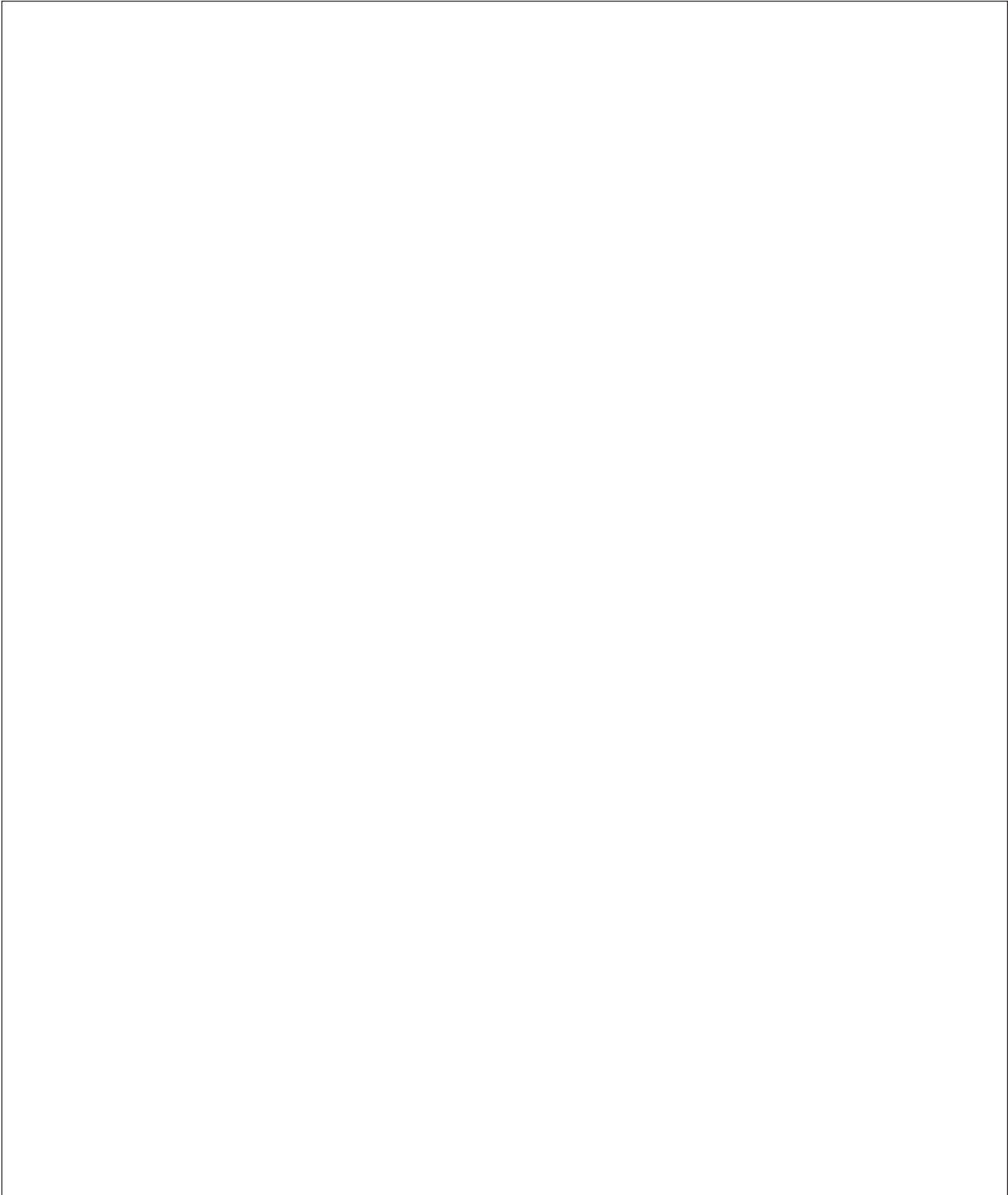




The Promotion of Democracy Through Access to Information



gg u gg rll
u rll
gg rll u
u u rll u rll





71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000



The Promotion of Democracy Through Access to Information

Conclusion

D

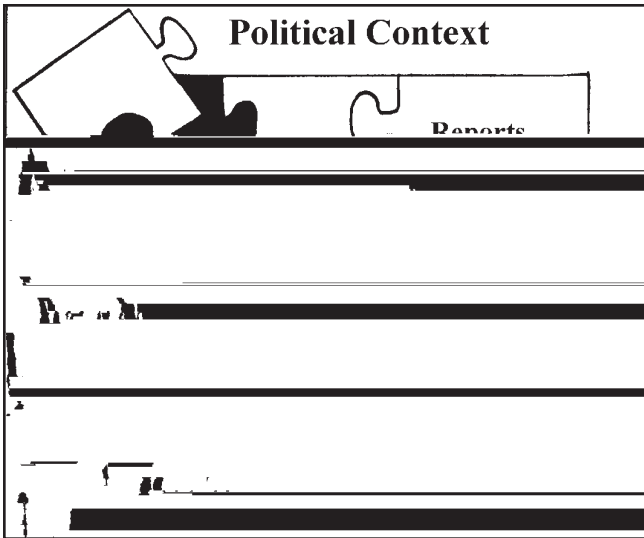
E



Introduction



The Promotion of Democracy Through Access to Information



Coby Janssen

Access to information is a fundamental right in a democratic society. It is essential for the public to know what their government is doing and to hold it accountable. This is particularly true in countries where the government has been opaque and unaccountable for a long time. Access to information laws (ATI) are designed to provide a legal framework for the public to obtain information from government agencies. These laws are essential for the promotion of democracy and the rule of law.

There are several key objectives and principles that guide the development of ATI laws. These include the right to know, the right to participate in decision-making, and the right to hold government officials accountable. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

Objectives and Principles

The primary objective of an access to information law is to ensure that the public has the right to know what their government is doing. This is achieved by providing a legal framework for the public to obtain information from government agencies. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

Key principles that guide the development of ATI laws include the right to know, the right to participate in decision-making, and the right to hold government officials accountable. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

Drafting an Access to Information Law

Drafting an access to information law is a complex task that requires a deep understanding of the country's political context and legal system. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

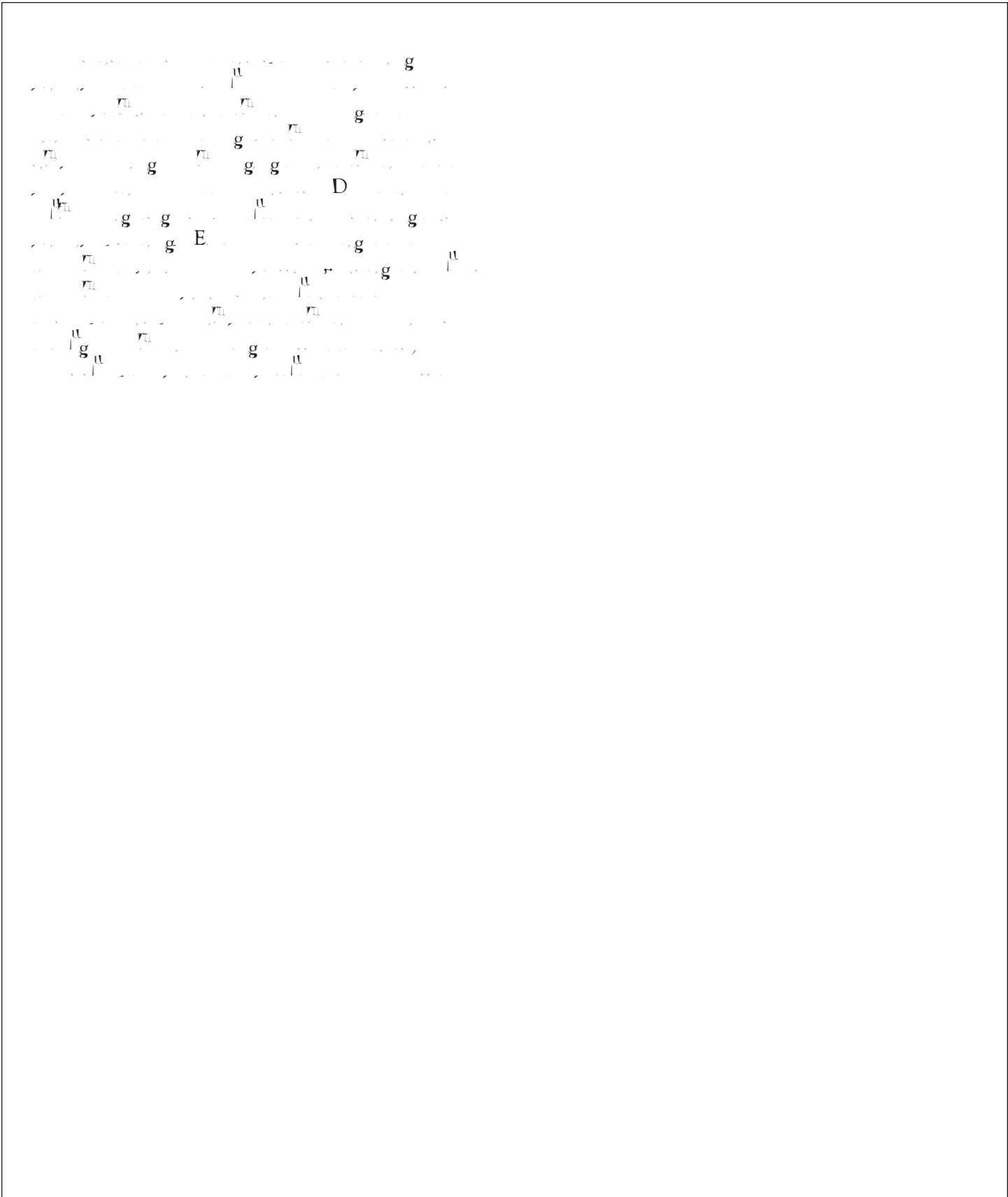
Key principles that guide the development of ATI laws include the right to know, the right to participate in decision-making, and the right to hold government officials accountable. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.

Key principles that guide the development of ATI laws include the right to know, the right to participate in decision-making, and the right to hold government officials accountable. The law should be clear, simple, and easy to understand. It should also be broad in scope, covering all government agencies and departments. The law should provide for a right of appeal and a right to judicial review. Finally, the law should be supported by a strong culture of transparency and accountability.



Access to Information Laws: Pieces of the Puzzle





The Carter Center

The Promotion of Democracy Through Access to Information

© 2004 The Carter Center. All rights reserved.





Process and Procedures

How to Request Information

The more information that is made available, without the need for individualized decision-making related to each request, the less costly the process.

Responding to Information Requests

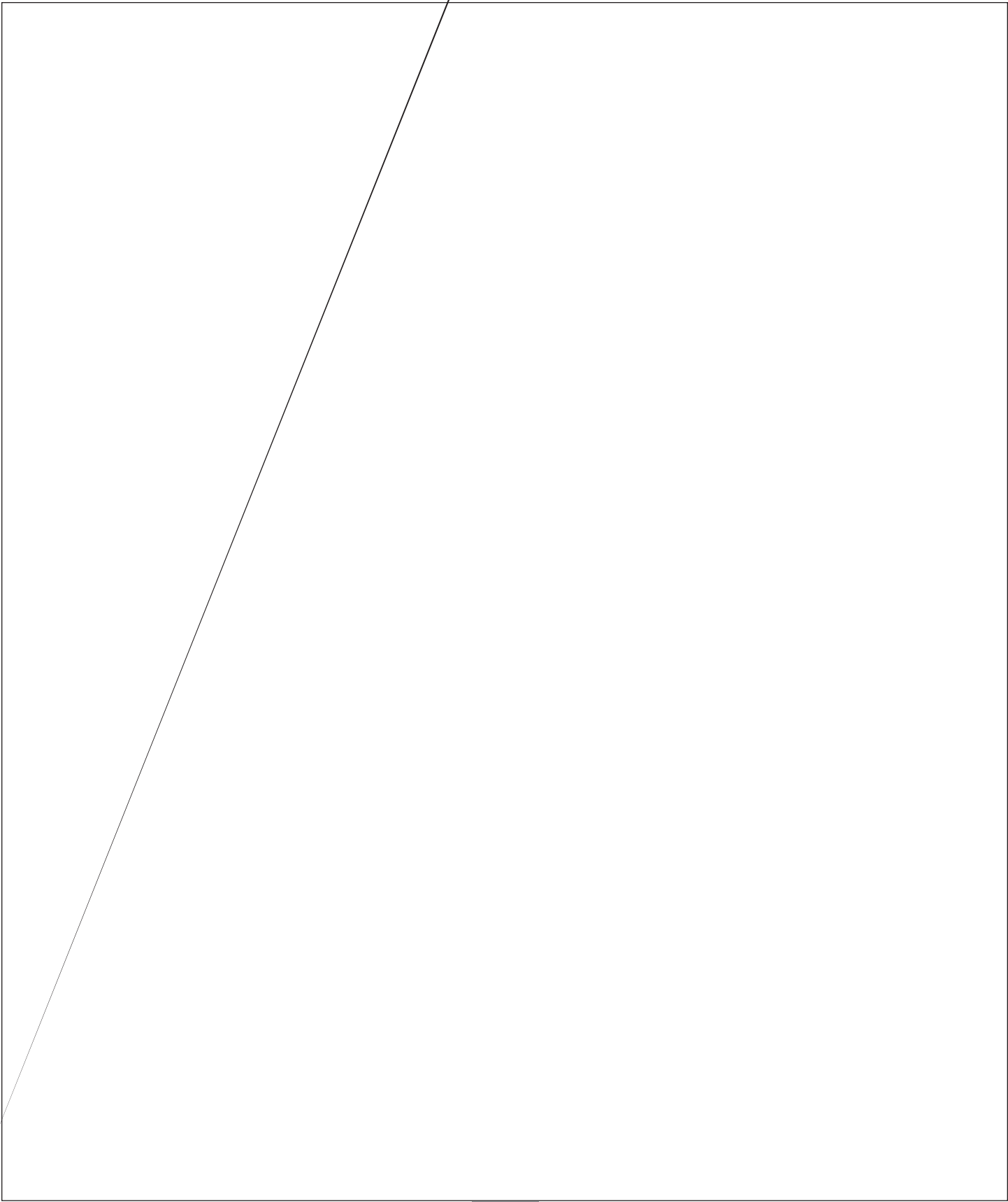


Record-keeping



The Carter Center

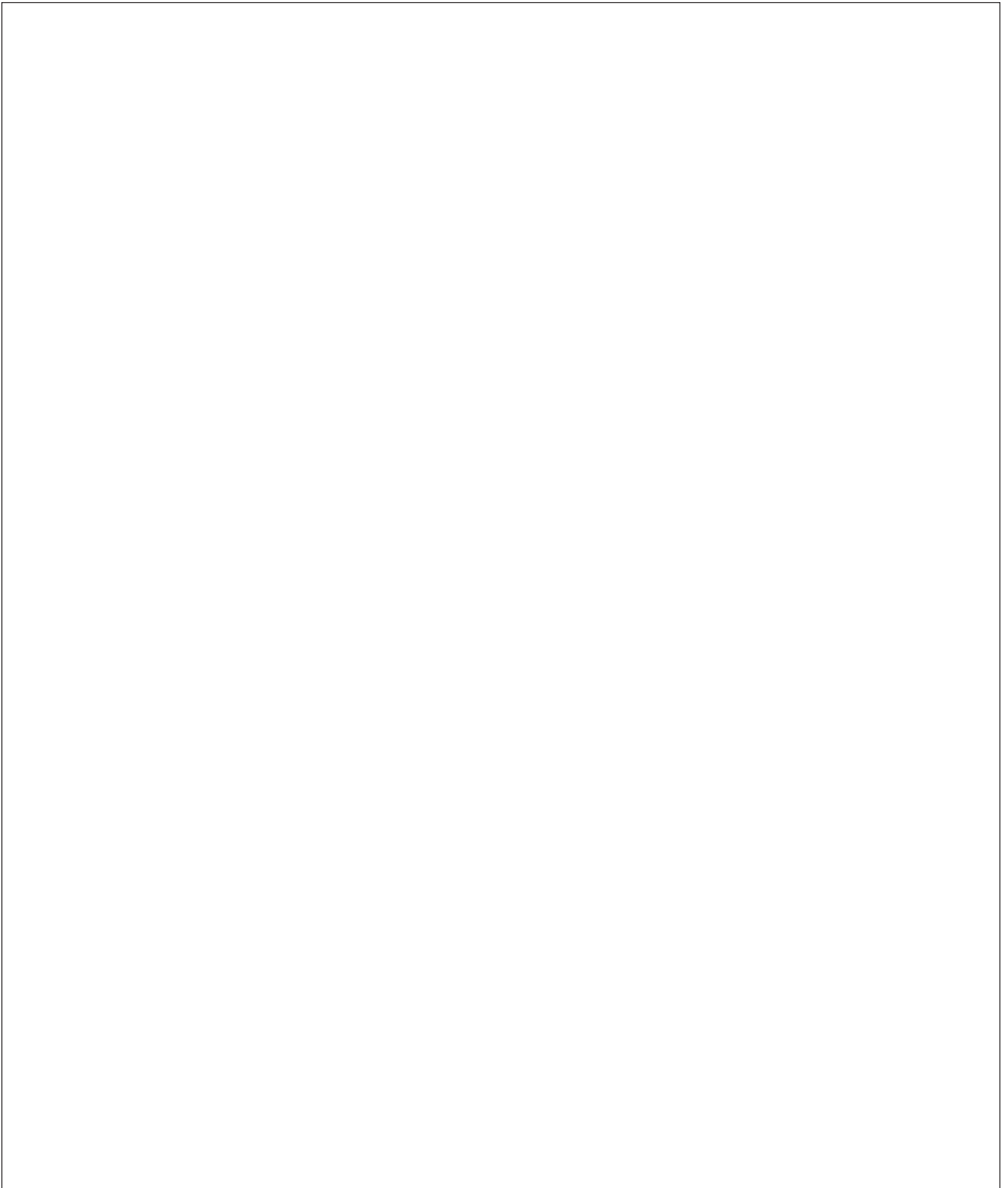
The Promotion of Democracy Through Access to Information

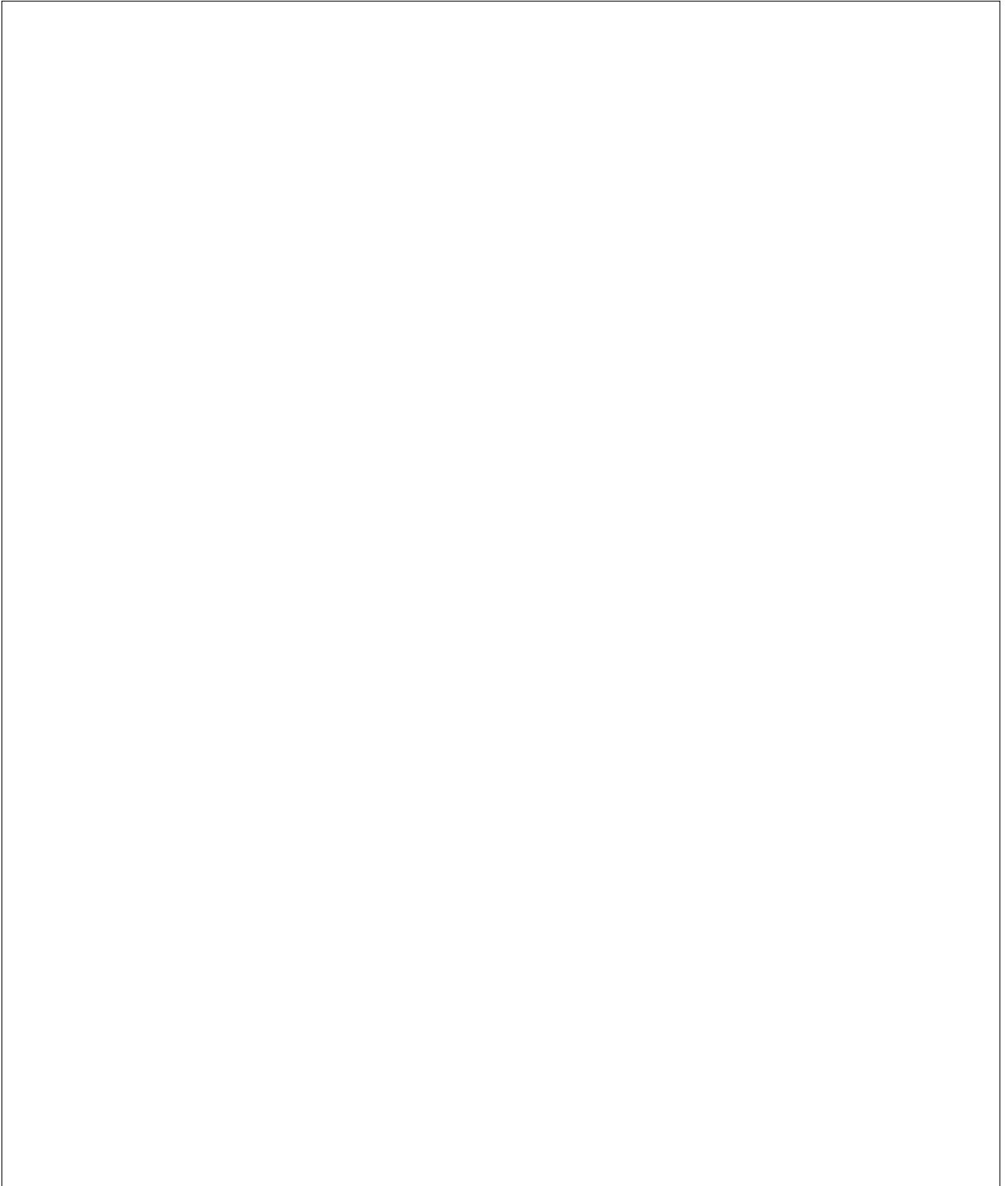




The Carter Center

Access to Information Laws: Pieces of the Puzzle







The Promotion of Democracy Through Access to Information

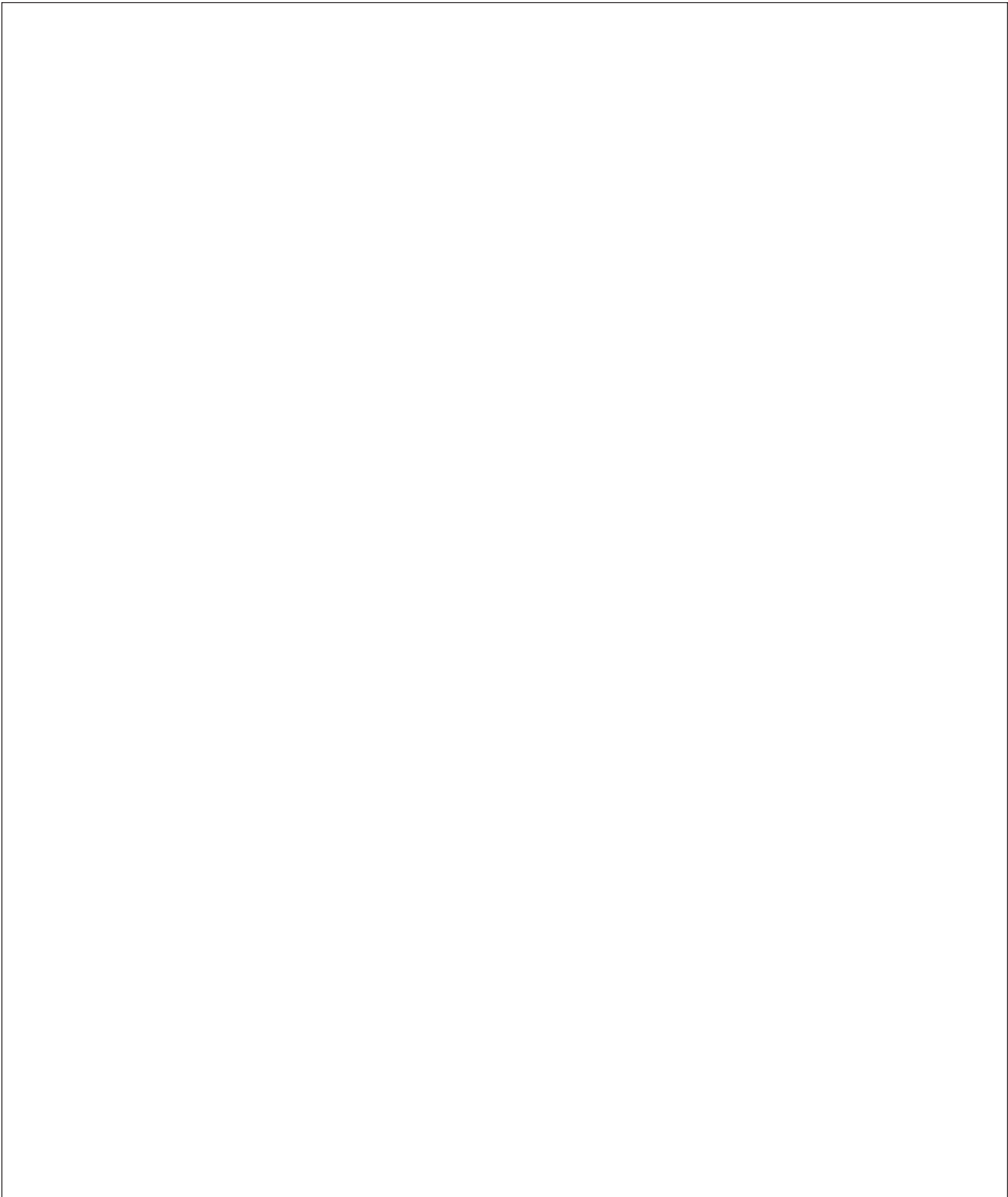
Process/Procedures: Bolivia Draft

Requesting Information

Responding to Information Requests

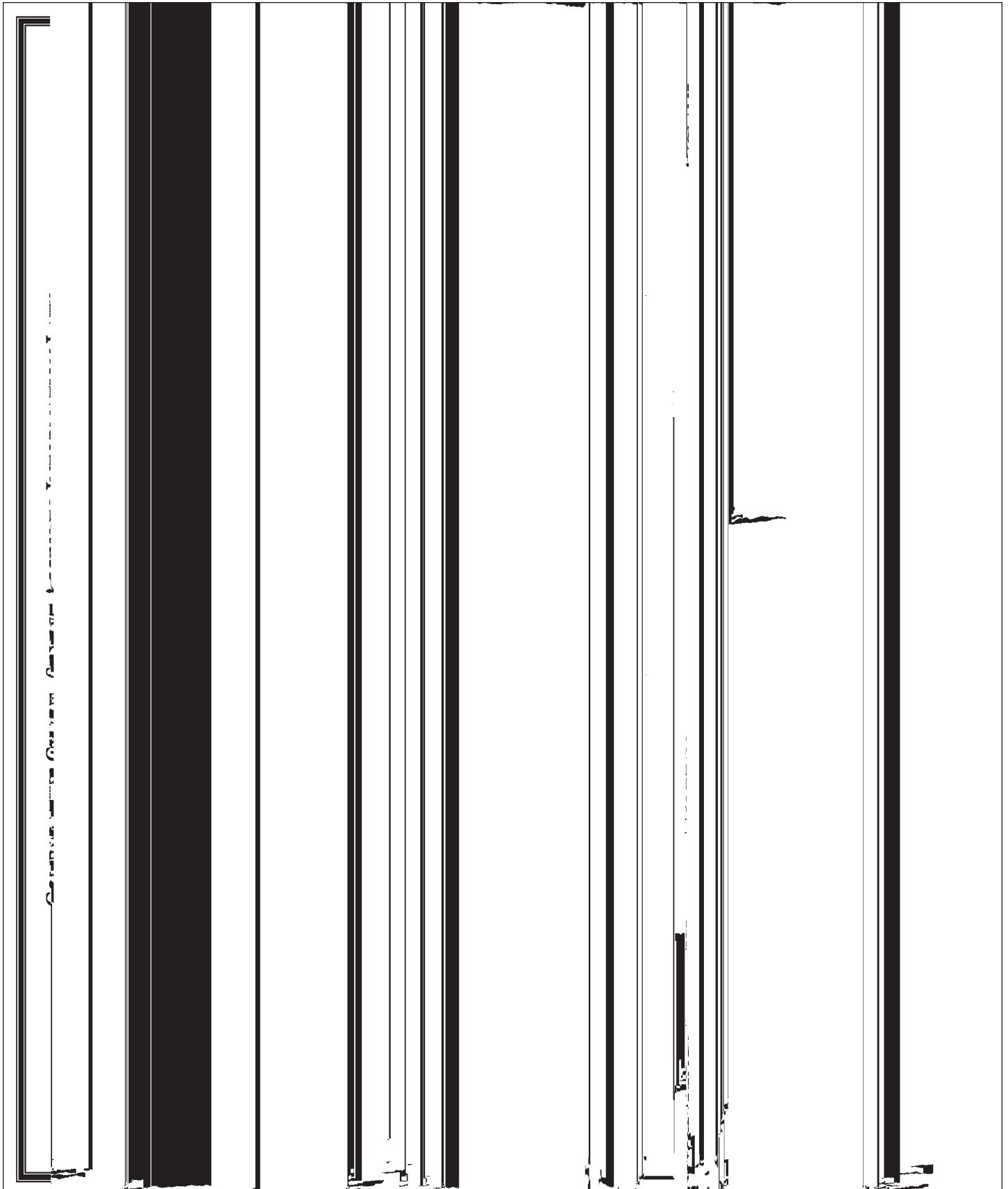


The Promotion of Democracy Through Access to Information





The Promotion of Democracy Through Access to Information



Annex 1: Comparative Chart of Access to Information Laws

COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS

Country	Access to Information Act	Freedom of Information Act	Other
Canada	Access to Information Act (ATIA)	Freedom of Information Act (FOIA)	
United States		Freedom of Information Act (FOIA)	
United Kingdom	Freedom of Information Act (FOIA)		
Germany	Transparenzgesetz (Transparenzgesetz)		
France	Loi sur l'accès à l'information (Loi sur l'accès à l'information)		
India	Right to Information Act (RTI Act)		
Japan	Information Access Act (Information Access Act)		
South Korea	Information Security Act (Information Security Act)		
China	Information Security Law (Information Security Law)		
Brazil	Lei de Acesso à Informação (Lei de Acesso à Informação)		
India	Right to Information Act (RTI Act)		
United States		Freedom of Information Act (FOIA)	
United Kingdom		Freedom of Information Act (FOIA)	
Germany		Transparenzgesetz (Transparenzgesetz)	
France		Loi sur l'accès à l'information (Loi sur l'accès à l'information)	
India		Right to Information Act (RTI Act)	
Japan		Information Access Act (Information Access Act)	
South Korea		Information Security Act (Information Security Act)	
China		Information Security Law (Information Security Law)	
Brazil		Lei de Acesso à Informação (Lei de Acesso à Informação)	



The Promotion of Democracy Through Access to Information

COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS



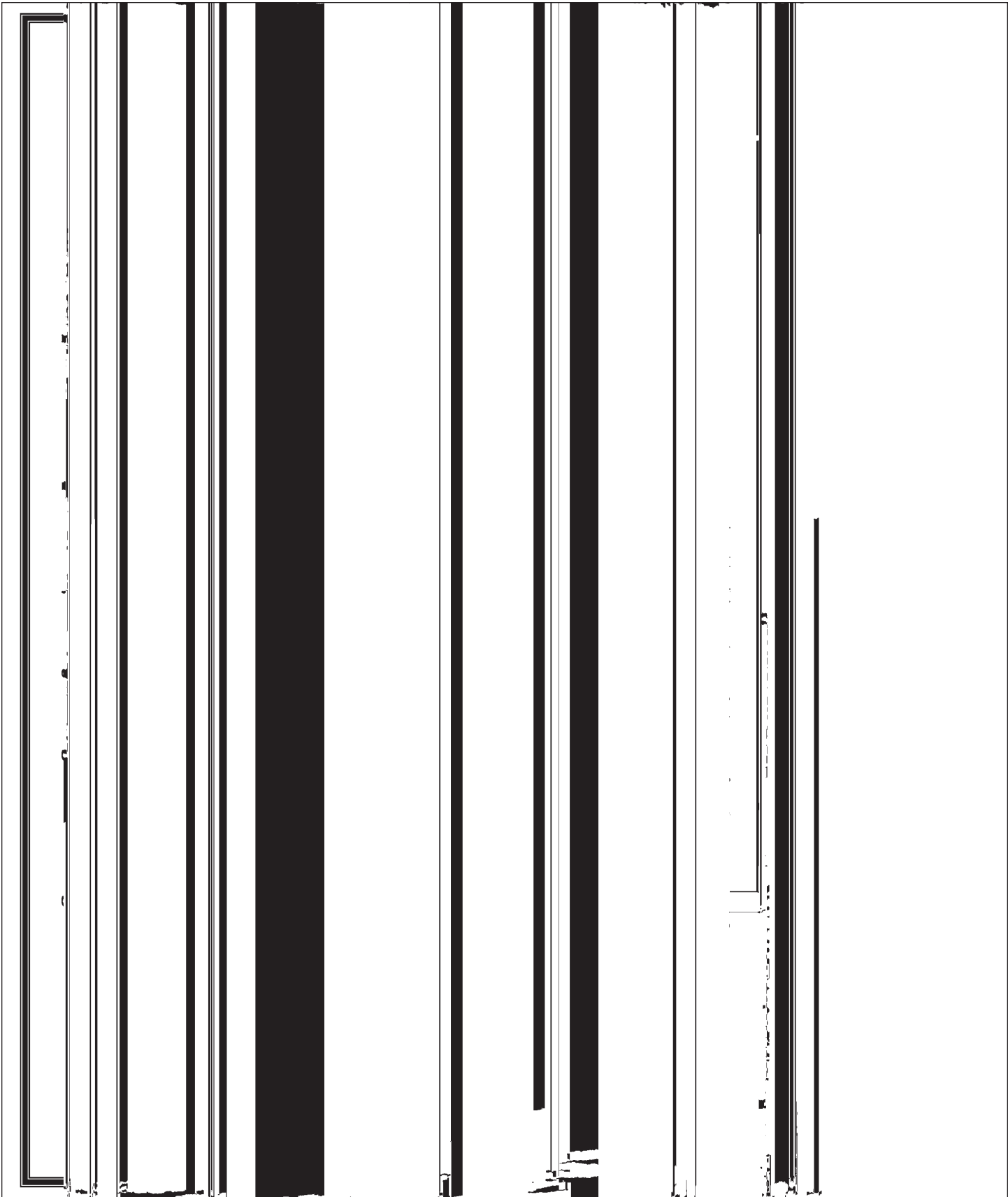
The Promotion of Democracy Through Access to Information

COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS
AND THE ROUTINE ORAT ACCESS TO INFORMATION AND TRANSPARENCY LAW

COMPARATIVE CHART. SELECT ACCESS TO INFORMATION LAWS

Country	Access to Information Act	Freedom of Information Act	Right to Information Act	Other
Canada	Access to Information Act (1986)	Freedom of Information Act (1986)		
United States		Freedom of Information Act (1966)		
United Kingdom		Freedom of Information Act (2000)		
France			Loi sur l'accès à l'information (1978)	
Germany			Informationsfreiheitsgesetz (2006)	
Japan			Informationsfreizugangsgesetz (2001)	
India			Right to Information Act (2005)	
China				Information Disclosure Law (2007)
South Korea			Information Freedom Act (2009)	
Spain			Law on Access to Information (2017)	
Italy			Freedom of Information Act (2007)	
Sweden			Freedom of Information Act (1976)	
Norway			Freedom of Information Act (1972)	
Denmark			Freedom of Information Act (1985)	
Netherlands			Freedom of Information Act (2012)	
Australia		Freedom of Information Act (1982)		
Canada (Quebec)	Access to Information Act (1986)			
Canada (New Brunswick)	Access to Information Act (1986)			
Canada (Ontario)	Access to Information Act (1986)			
Canada (Alberta)	Access to Information Act (1986)			
Canada (Saskatchewan)	Access to Information Act (1986)			
Canada (Manitoba)	Access to Information Act (1986)			
Canada (British Columbia)	Access to Information Act (1986)			
Canada (Yukon)	Access to Information Act (1986)			
Canada (Northwest Territories)	Access to Information Act (1986)			
Canada (Nunavut)	Access to Information Act (1986)			
Canada (Federal)	Access to Information Act (1986)			





The Promotion of Democracy Through Access to Information





Annex 1: Comparative Chart of Access to Information Laws

<p>COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS AND THE BOLIVIAN DRAFT ACCESS TO INFORMATION AND TRANSPARENCY LAW</p>					



The Promotion of Democracy Through Access to Information

COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS

The Promotion of Democracy Through Access to Information

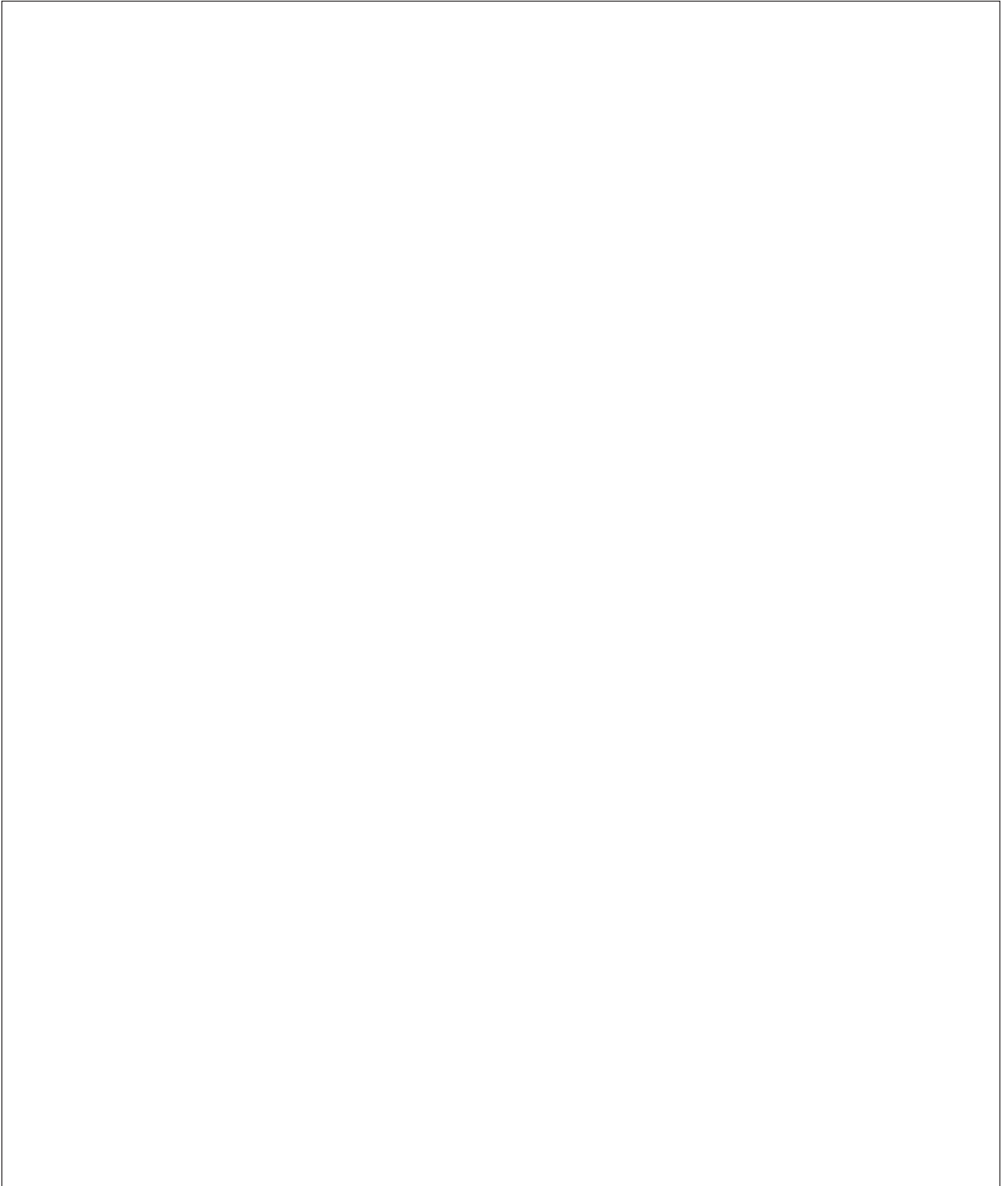
COMPARATIVE CHART: SELECT ACCESS TO INFORMATION LAWS
AND THE BOLIVIAN DRAFT ACCESS TO INFORMATION AND TRANSPARENCY LAW

ISSUE	BOLIVIA*	MEXICO	PERU	SOUTH AFRICA	JAMAICA
Does the law provide for an internal	Not mentioned in the draft law.	Yes. The head of the agency that classified the documents as restricted shall immediately	In some cases, a request for review will be sent to the superior hierarchy to exhaust	Yes. An internal appeal must be lodged in the prescribed form within sixty (60) days	Yes. An application for internal review must be presented within thirty (30)

СНИЖАЮЩИЙ СРЕДСТВО ДЛЯ ПОДАЖИ И ВОЗВРАЩЕНИЯ

СНИЖАЮЩИЙ СРЕДСТВО ДЛЯ ПОДАЖИ И ВОЗВРАЩЕНИЯ

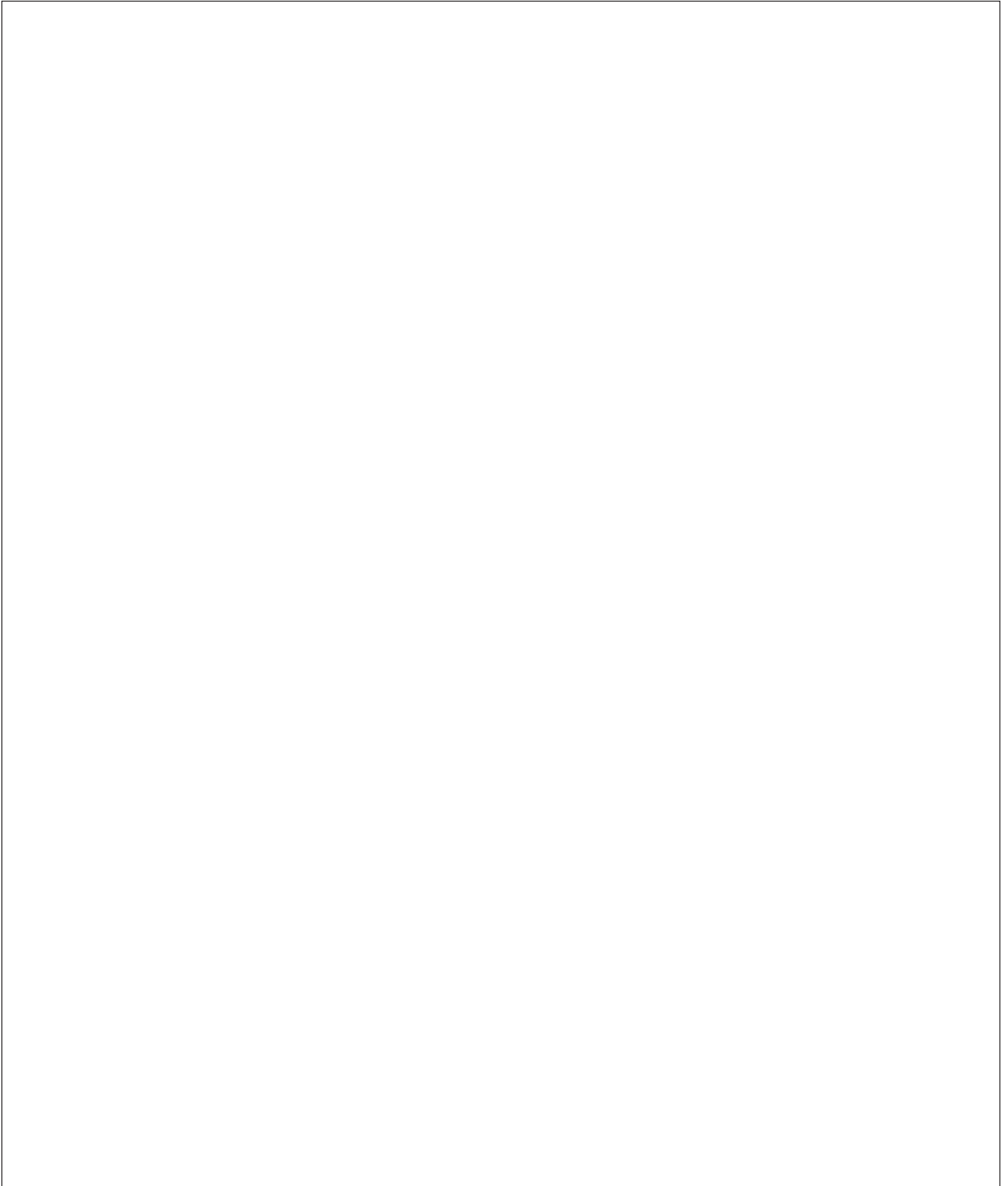
The Promotion of Democracy Through Access to Information





The Carter Center

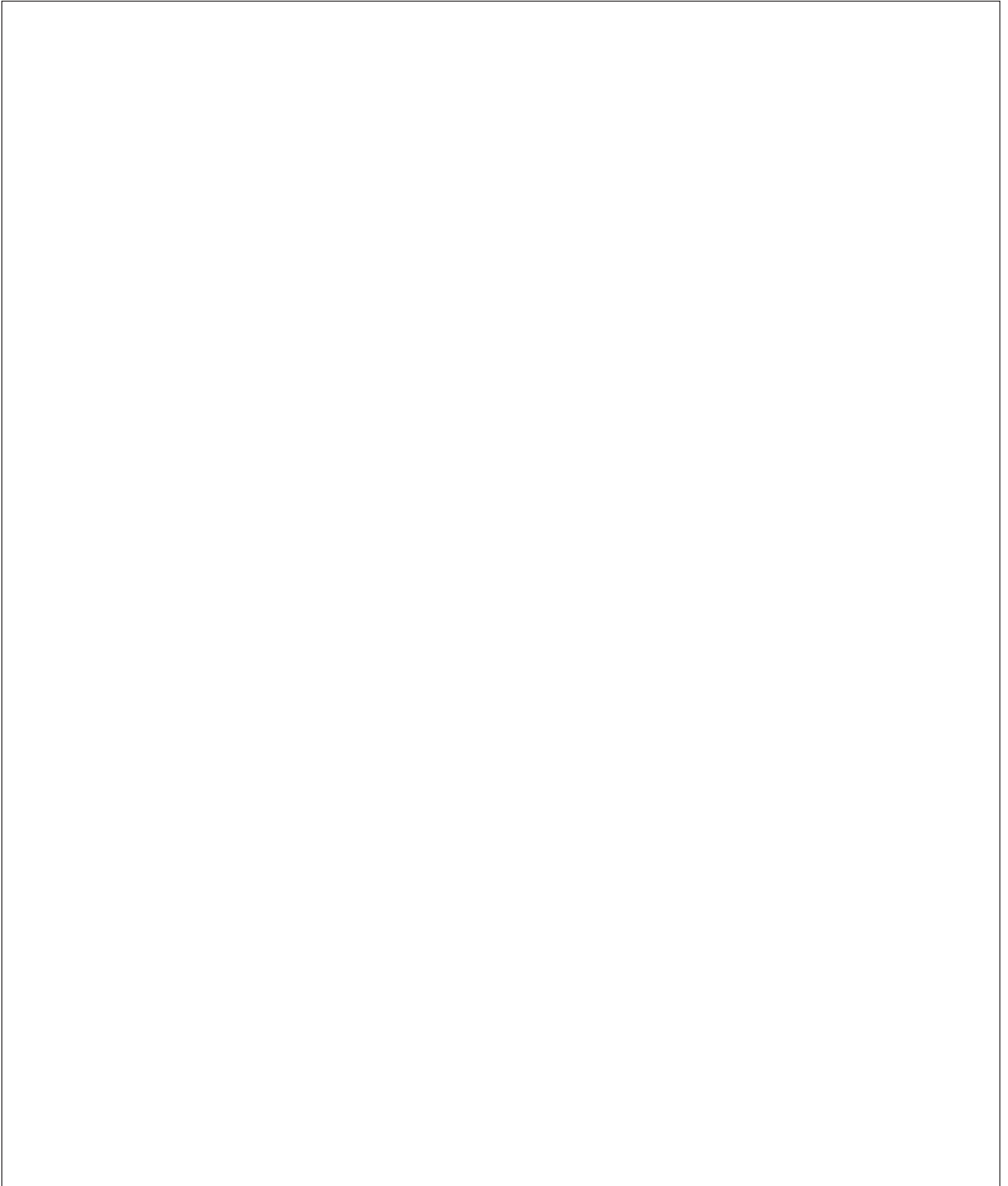
Implementation of an Access to Information Regime





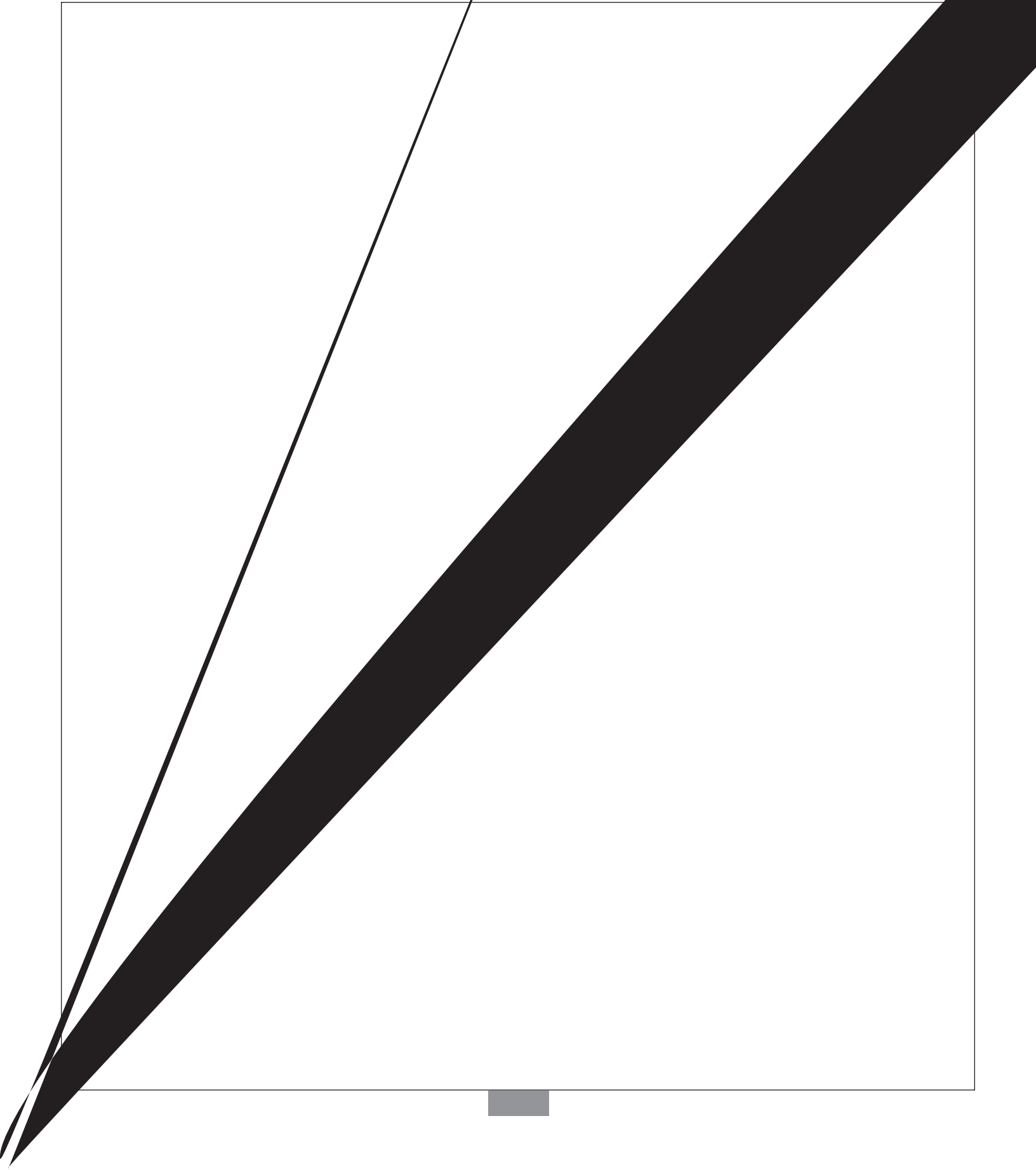
The Carter Center

The Promotion of Democracy Through Access to Information



The Carter Center

The Promotion of Democracy Through Access to Information



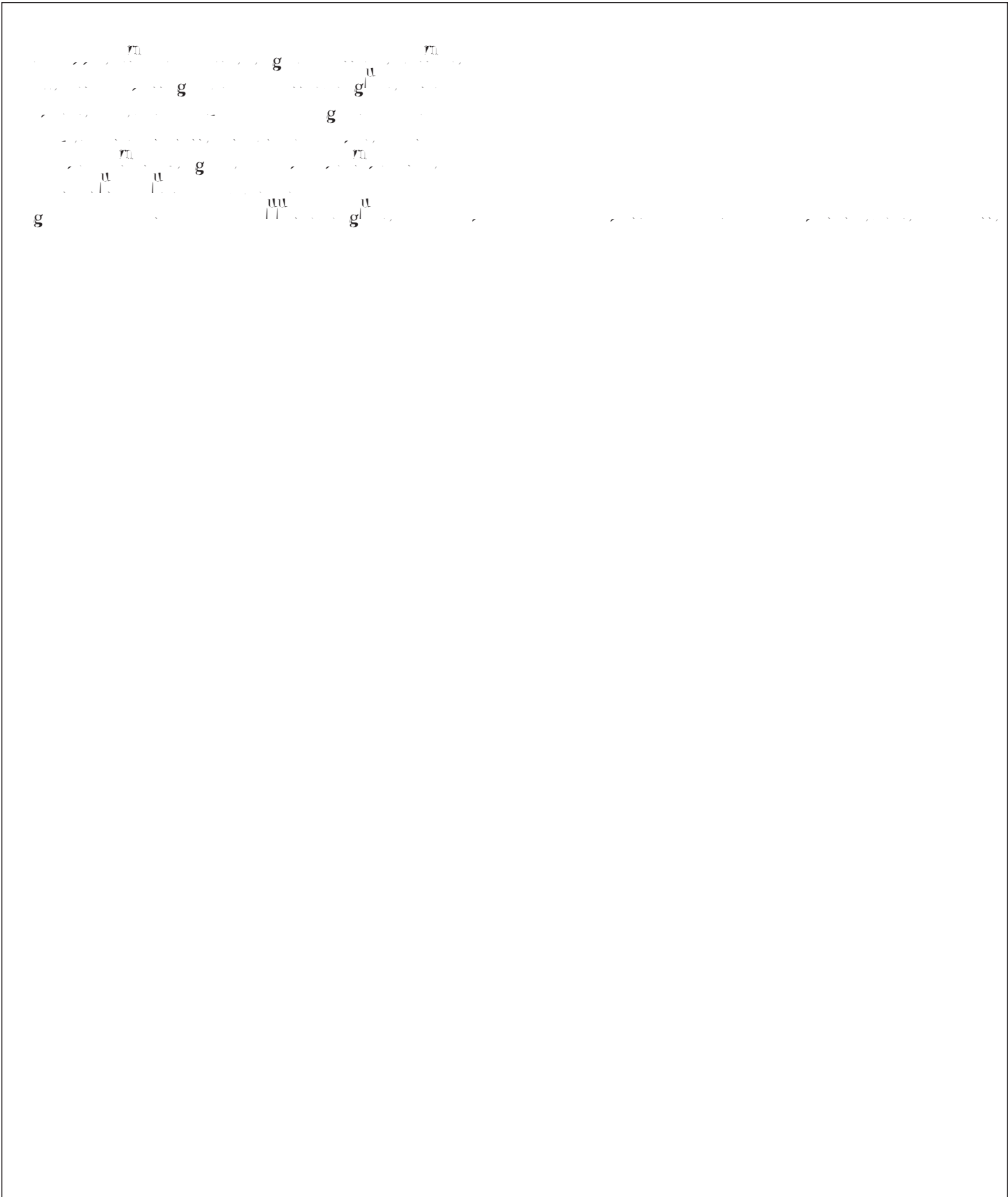


Implementation of an Access to Information Regime





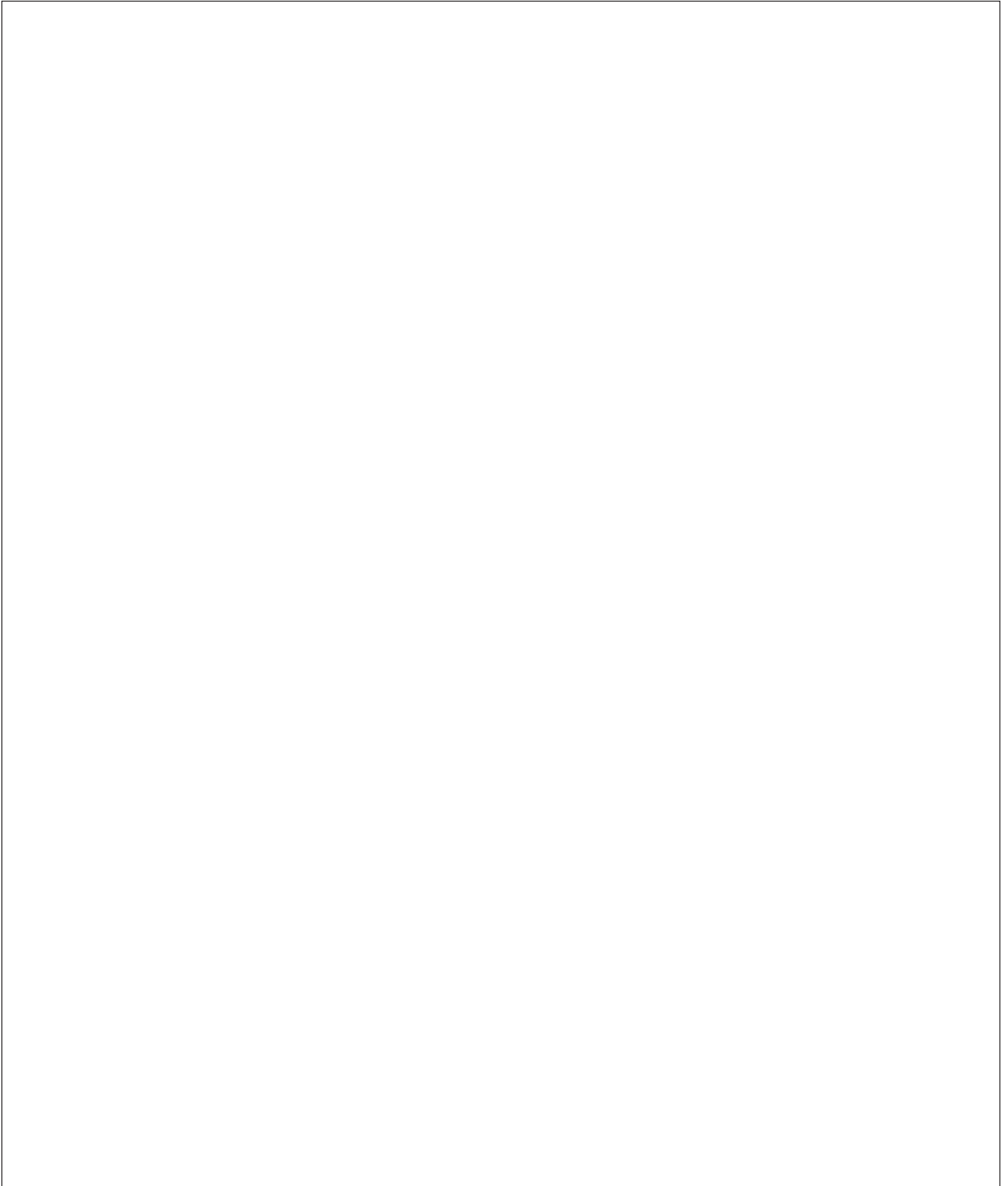
The Promotion of Democracy Through Access to Information





The Carter Center

Certainties and Doubts in the Debate About a New Law in Bolivia





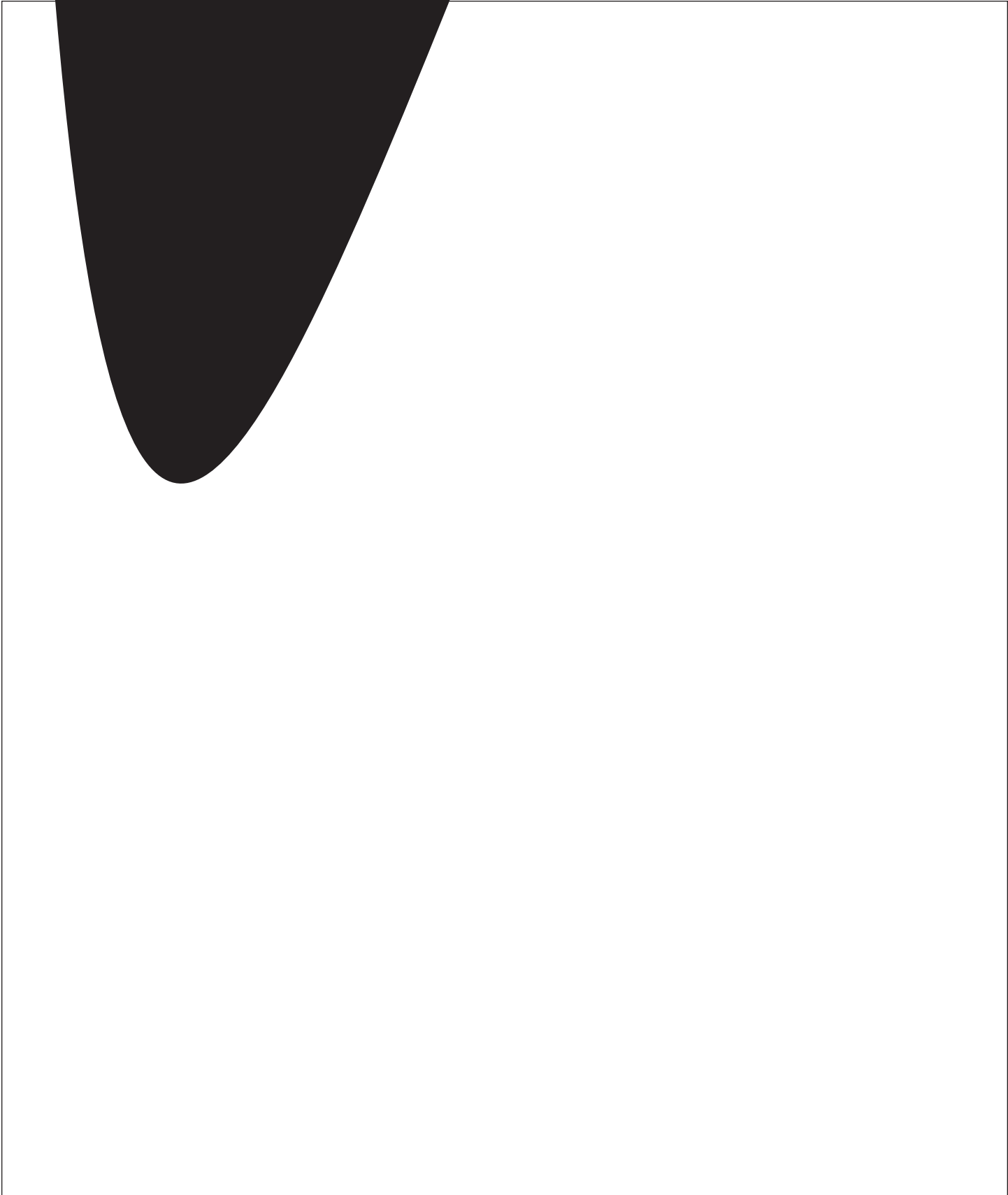
The Promotion of Democracy Through Access to Information

Democracy is a process, not a destination. It is a way of life that requires the active participation of all citizens. The Carter Center believes that access to information is a fundamental right that is essential for the promotion of democracy. Without access to information, citizens are unable to make informed decisions about their government and their future. The Carter Center is committed to promoting access to information as a means of strengthening democratic institutions and processes.

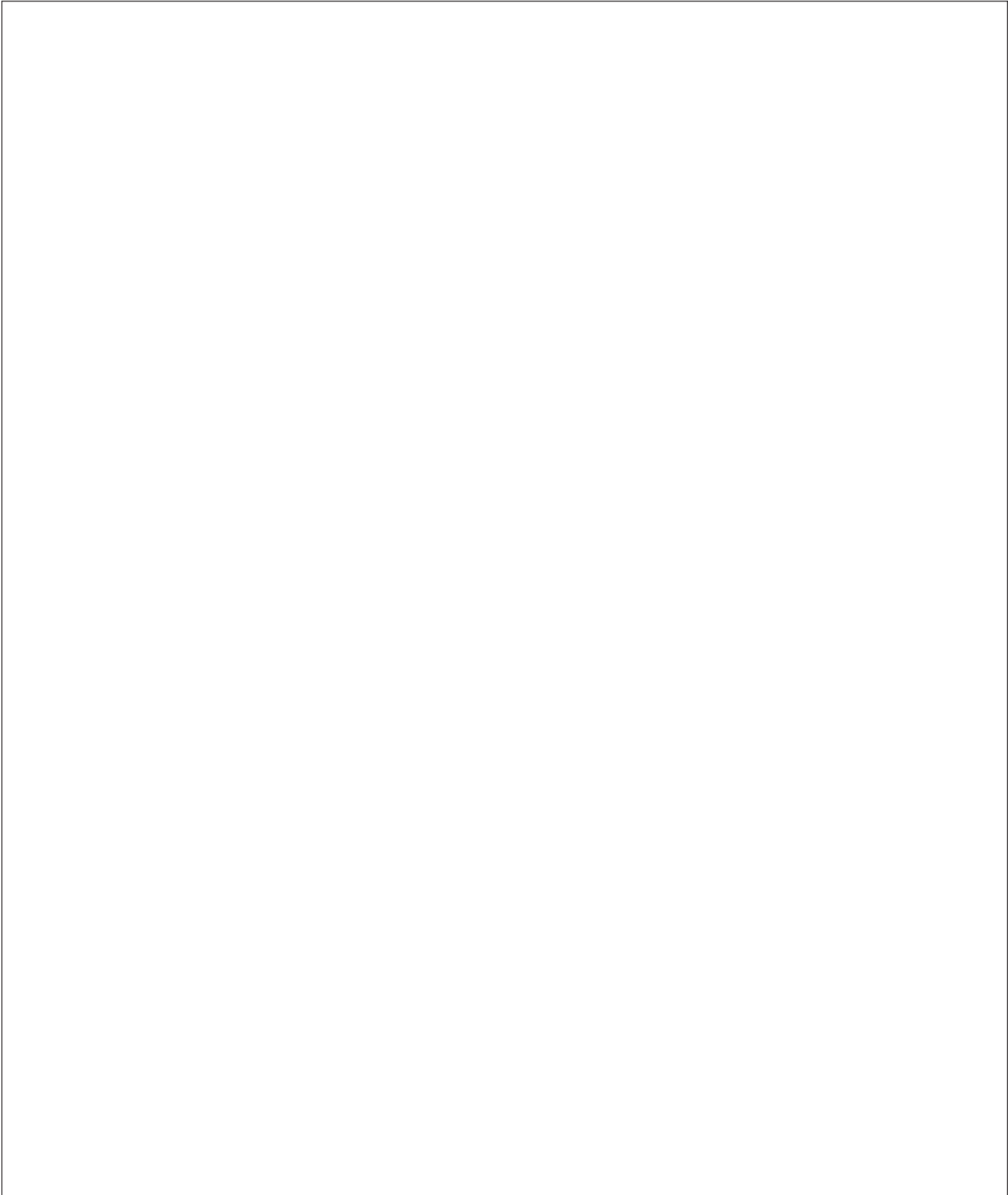
The Proposal

The Carter Center proposes a comprehensive program of activities to promote access to information and strengthen democratic institutions. This program will include the following components:

- 1. **Capacity Building:** Training and technical assistance for government officials, journalists, and civil society organizations to improve their ability to access and use information.
- 2. **Policy Development:** Assistance in developing and implementing laws and policies that promote access to information and protect the right to privacy.
- 3. **Public Awareness:** Campaigns to educate citizens about their rights to access information and the importance of transparency in government.
- 4. **Monitoring and Reporting:** Regular monitoring of government activities and the publication of reports on the state of access to information in each country.



The Promotion of Democracy Through Access to Information





The Promotion of Democracy Through Access to Information

Guadalupe Cajías

Cambio 16
El Día

Univision

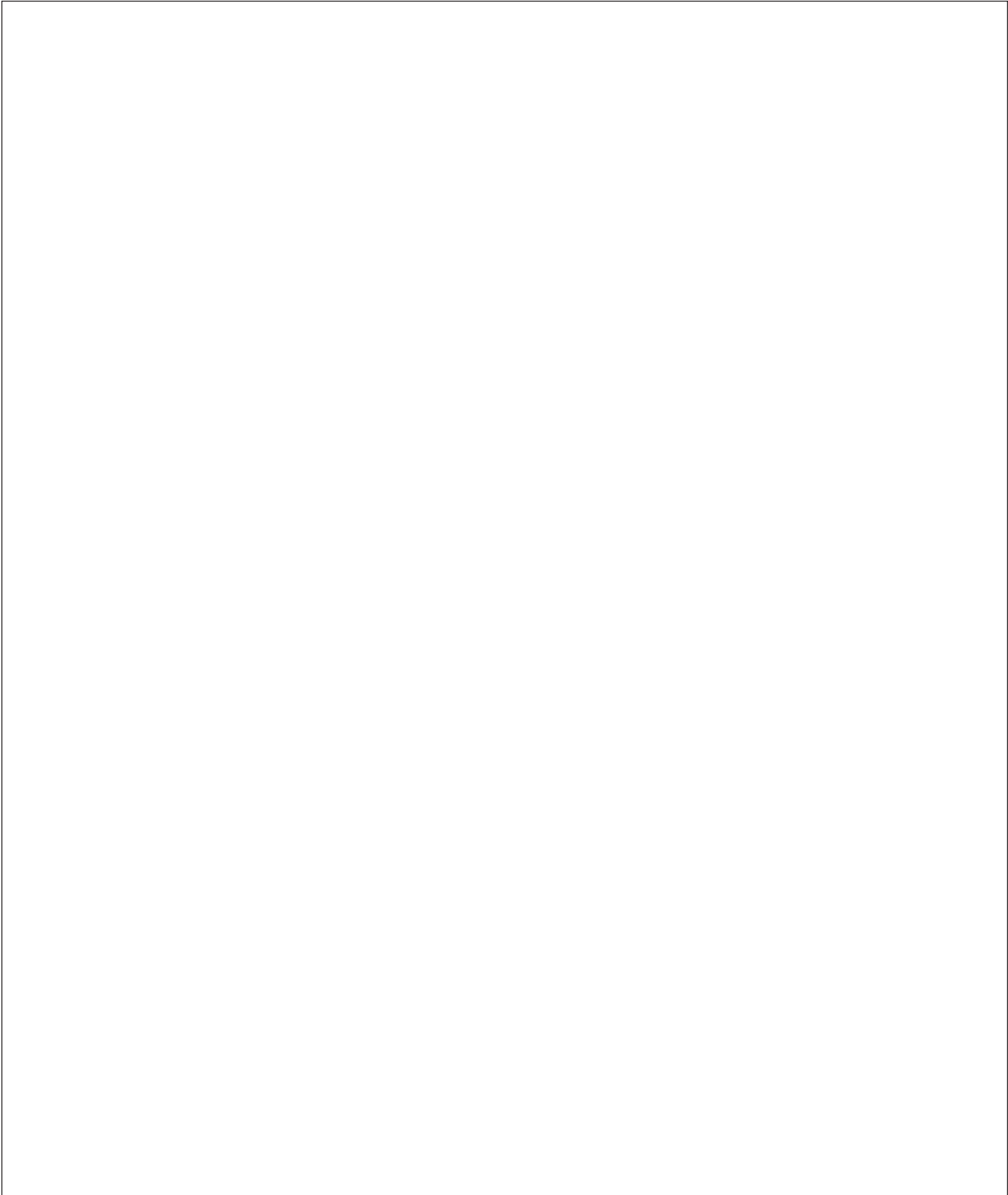
Tiempos

La Prensa, El Deber, Los

Richard Calland

The Right to Know, The Right to Live: Access to Information

Real Politics: The Wicked Issues
Thabo Mbeki's World: The Politics and Ideology of the South African President
Whistleblowing Around the World: Law, Culture and Practice





The Promotion of Democracy Through Access to Information

