



## **RESOLUTION OF THE 9th INTERNATIONAL CONFERENCE OF INFORMATION COMMISSIONERS, ICIC 2015.SANTIAGO DE CHILE**

In Santiago de Chile, on April 21, 2015, a private working session took place in the context of the 9th International Conference on Information Commissioners, ICIC, involving 33 Commissioners from 25 countries.

According to the work schedule proposed by the Council for Transparency as host and organizer of this meeting, the commissioners formed four working groups with the purpose of analyzing the following subjects:

1. Sharing of the experiences in the collaboration and exchange in management and implementation of the Access to Information Laws.
2. The use of mediation or other forms of alternative dispute resolution in the Citizen - Public Agency dispute, as a tool to expedite the Access to Public Information: advantages, disadvantages and main results.
3. Identification of measurement mechanisms in the implementation of Transparency Public Policies and the right to access public information.
4. Comparative case-law.

The conclusions and agreements of the mentioned working groups are listed below:

### **1. Conclusions and group agreements on "Sharing of the experiences in the collaboration and exchange in management and implementation of the Access to Information Laws "**

- 1.a) Agreement in the desirability of moving towards the establishment of a permanent working mechanism for the ICIC, through a light functional non- bureaucratic structure, which will take charge of the following necessities:

- Explore the operation of other networks,
- Monitor and follow up of the issues discussed at the meetings,
- Promote and coordinate the exchange of experiences and good practices
- All relevant information will be made available and the process of installing new legislations and institutional frameworks will be encouraged and supported.

1.b) For the developing of a proposal for this functional structure it is agreed to mandate a working group integrated by at least three countries and up to five, all members of the ICIC, which thoroughly investigates the possible structure for this coordination mechanism in accordance with the identified requirements.

This working group will be integrated by one commissioner representative of: the Office of the Information Commissioner of Canada, the Office of the Scottish Information Commissioner, Indonesia Information Commissioner, the Federal Institute for Access to Public Information and Data Protection of Mexico and the Council for Transparency of Chile.

## **2. Conclusions and group agreements relating to " The use of mediation or other forms of alternative dispute resolution in the Citizen - Public Agency dispute, as a tool to expedite the Access to Public Information: advantages, disadvantages and main results".**

- 2.a) The importance of implementing forms of alternative dispute resolution in the right to access public information is acknowledged.
- 2.b) These forms of alternative dispute resolution should be a participative tool in which both citizens and public organisms are required in the process of solving the conflict.
- 2.c) These forms of alternative dispute resolution should consider the special constitution of the right to access public information.
- 2.d) These forms of alternative dispute resolution mechanisms and their processes should undergo evaluation.
- 2.e) The participants in this conference commit to share the best practices in the forms of alternative dispute resolution for the right to access public information.

**3. Conclusions and group agreements on "Identification of measurement mechanisms in the implementation of Transparency Public Policies and the right to access public information".**

- 3.a) Systematize a catalog of existing international measures (OECD, OAS, etc) and evaluate the relevance of these indicators.
- 3.b) Assess the need to develop a unified measurement model.
- 3.c) Analyze the possibility to create new indicators for common measurement
- 3.d) Generate communicating strategies for the results of these measurements for a full understanding of them
- 3.e) Share good practices of the different national measurement systems

**4. Conclusions and group agreements relating to "Comparative case-law".**

- 4.a) Strengthen regional platforms of case law to create a future network that will be shared with all members of the organization, at national, provincial or federal level.
- 4.b) Generate an updated directory that will contain the general data of the access to information guarantor bodies, their contact information and appropriate material to allow a fluid and effective communication between the members of the organization. The information will be submitted voluntarily by the members. The first list will be generated in the 9th International Conference on Information Commissioners.
- 4.c) When point 4b is completed, the guarantor bodies will share links to the respective websites where the particular case law of each of the members of the organization is published.
- 4.d) Update voluntarily, via mailing list of members of the organization, the decisions of the guarantor organs or courts decisions which have significance or impact on the right of access to information, and also updates of the regulations in the subject.
- 4.e) In the case of national organizations that share functions with provincial or federal agencies, the board agreed to instruct the national organizations to involve the local organisms and share with them the agreements reached at this meeting

4.f) Finally, it was agreed to designate the Council for Transparency in Chile as technical secretariat to manage the information to be supplied by the members of the organization, while another particular body is not designated.

## **5. Final Statement**

During the plenary session, commissioners and supervisory bodies representing thirty-five countries, considering the importance of the right to access information, expressed concern regarding some important challenges to this right:

- The continuing inequalities that limit the right to access information for all citizens
- The deterioration of the right to access information because of the approval of legislation and public policies contrary to that right
- The weakening of the right to access information through the use of new technologies
- The lack of adequate funding, support and maintenance of the organs of supervision

Therefore, we encourage governments, civil society organizations, the international community and citizens to remain vigilant and work together to protect, promote and strengthen an effective right to access information. We, commissioners and supervisory bodies, are committed to work with all parts involved to fulfill this goal.

## **6. Next meeting**

The 10th International Conference on Information Commissioners will be held in 2017 in Bali, Indonesia, and will be organized by the Indonesia Information Commissioner.