

OPENING STATEMENT
HB 2059 – Access to Information Bill
Rep. Lorenzo R. Tañada III
20 November 2007

Thank you Mr. Chairman for the opportunity to give my Opening Statement with regard House Bill 2059 which this Representation together with Cong Del de Guzman have authored.

It is my privilege to sponsor this measure for not only as it has already went through the rigors of several Congresses but more importantly, the wringer from civil society organizations led by the Access to Information Network.

Mr. Chairman,

I truly believe that the people's right to information is a key ingredient to a genuinely functioning democracy. Without it, all claims that we live in a democratic society are, to say the least, hypocritical.

When copies of contracts like ZTE are nowhere to be found, when members of Congress, despite repeated requests for a copy of critical bilateral agreements such as the Japan-Philippines Economic Partnership Agreement, had to go to the Supreme Court just to get a copy of the Executive's submission, when right at this very moment, the Executive is again cooking an ASEAN-Japan agreement and not a shadow of it is presented before our people, when ordinary folks cannot even have access to our Justice's Statement of Assets, Liabilities and Networth, then the democracy that we claim to have is a sham.

As a testament to importance of this piece of legislation, not just one, but eight bills of this nature are now before this Committee. As far as HB 2059 is concerned, our bill responds to the following problems:

- Absence of a uniform, simple and speedy access procedure
- While in legal theory there is no discretion in giving access to information, it remains discretionary in practice.
- There is still untested, if not insufficient, basis for sanctions in cases of violation of the right to information.
- The remedy to compel disclosure, primarily judicial, is inaccessible to the general public.
- Government's record-keeping system is in a very poor state.
- There is a very low level of bureaucratic commitment to openness and
- The cost of access to certain information is excessive.

HB 2059 provides for

- An expansive scope in terms of government agencies as well as information covered.
- A clear, uniform and speedy procedure for access to information
- A proscription against excessive costs of access to information
- A system of accessible and speedy remedies that a citizen who has been denied access to information may resort to.
- A mandate to promote a culture of openness within government and
- Clear administrative, criminal and civil liability for violation of the right to information.

I hope that with the able leadership of the good Chairman of the Committee on Public Information, our people's right to information, as enunciated by our Constitution will be fully guaranteed and respected.

Let us enact into law this long overdue legislative measure, Mr. Chairman.

Thank you very much.