REGIONAL REPORT FOR ASIA

Presenter:

Krizia Casey P. Avejar

Chief, Freedom of Information-Program Management Office
under the Presidential Communications Office,
Republic of the Philippines

Countries Represented

- State of Israel
- Republic of Maldives
- Federal Democratic Republic of Nepal
- Islamic Republic of Pakistan
- Republic of the Philippines
- Democratic Socialist Republic of Sri Lanka
- Republic of China (Taiwan)



STATE OF ISRAEL

Submitted by:

Governmental Freedom of Information Unit - Israel

Overview

- Governmental FOI Unit established by Decision No. 2950 (March 6, 2011)
- Implements Freedom of Information Act (1998)
- Mission: transparency in public authorities through guidance, training, and monitoring
- Promotes access to information

Monitoring of FOI Law Implementation

- Annual FOI report submitted to Parliament
- New regulations:
  - Publication of administrative guidelines
  - Disclosure of datasets from public reports
- Budget transparency now includes government hospitals
- 12-hour online training for FOI officers launched

Relevant Law Cases and Resolutions

Case 1: *Moshav Shitufi Har Shemesh vs Israel Tax Authority (2023)*

- Request denied: software specs and source code
- Court: tools not subject to FOI; reverse engineering not required

Case 2: *Moshe Rogoznitsky vs Health Ministry(2023)*

- Request denied: pharmacy supervision reports
- Court: unreasonable burden to review, protect sensitive data

Events to Promote ATI

- Annual FOI Officers' Forum
- Workshops with local authorities
- NGO guidance sessions
- Recognition for top FOI officers

Summary & Key Takeaways

- Trust-building through research and integration within FOI mechanisms
- Ongoing training & officer support is vital
- Raising public FOI awareness remains a top priority



REPUBLIC OF MALDIVES

Submitted by:

Information Commissioner's Office - Maldives

Overview

- Information Commissioner’s Office (ICO) established July 2014
- Mandated under RTI Act (Law No. 1/2014)
- Responsibilities: appeals, training, awareness, and monitoring
- Independent oversight body for RTI

Monitoring of FOI Law Implementation

- **566 cases** registered (2024)
  - 327 withdrawn (info disclosed)
  - 245 resolved by Commissioner
  - 66% decisions found information was wrongly withheld
- **685 staff** from 173 authorities trained
- **287 citizens** joined awareness activities
- **11 authorities** fully complied with proactive disclosure

Monitoring of FOI Law Implementation

- **Challenges**:
  - Surge in appeals
  - 89% complaints due to officer non-responsiveness
  - Delays in decision-making
- RTI Regulation amended – February 2024

Events to Promote ATI

- **Collaborative Development Program (with IRI)**:
  - Trainings led to full compliance in multiple councils
- **Transparency Maldives Assessments**:
  - Only 0.75% of 935 authorities fully compliant
  - Many lacked functioning websites
- **RTI Implementation Assessment (with CLD methodology)**:
  - “High yellow” score
  - Strengths in central governance
  - Weaknesses in proactive/reactive disclosure

Events to Promote ATI

- **UK Government Partnership**:
  - Developed implementation guidelines
  - Trained 30 agency staff
- **IDUAI Celebration**:
  - 10th RTI Act Anniversary
  - Multi-stakeholder panels on transparency and misinformation

Summary & Key Takeaways

- Rising demand for RTI services
- Persistent gap in proactive disclosure
- Recognition and scoring tools promote compliance
- **Next Steps**:
  - Institutionalize RTI training
  - Use of self-paced learning tools
  - Publish an annual RTI report



FEDERAL DEMOCRATIC REPUBLIC OF NEPAL

Submitted by:

National Information Commission - Government of Nepal

Overview

- RTI guaranteed in the Constitution and RTI Act (2007)
- Aim: Ensure transparency, accountability, access to public information and protection of sensitive data
- **National Information Commission (NIC)**:
  - Independent body with three commissioners
  - Enforces and promotes RTI compliance

Monitoring of FOI Law Implementation

Multi-level Monitoring Structure:

- **Central Coordination**: Secretary of the Office of Prime Ministers and Council of Ministers
- **Implementation Monitoring**: Secretary of the Ministry of Communication and Information Technology
- **Provincial Monitoring**: Secretary of Chief Ministerial office in all 7 provinces
- **District Monitoring**: Chief District Officers (77 districts)

Monitoring of FOI Law Implementation

Challenges:

- Low public awareness (RTI seen as tool for journalists)
- Harassment and delays in request handling
- Language barriers and institutional resource gaps
- No provincial NIC offices

Relevant Law Cases and Resolutions

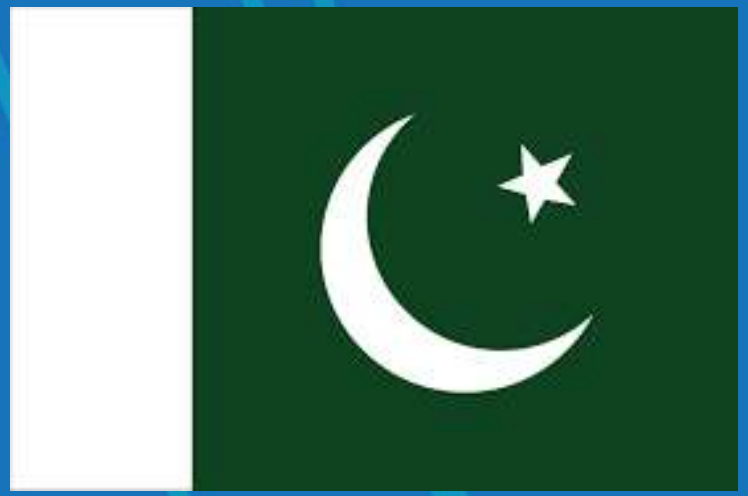
- FY 2080–81 (2023–24):
  - 1,200 out of 1,265 appeals resolved (95%)
  - 72% from local governments
- **Notable Case**:
  - Activist sought unpaid electricity dues from 2070s
  - Initial refusals → NIC issued multiple disclosure orders
  - Final result: 77 industries revealed to owe 179+ billion NRs
  - Led to recovery actions — showcased RTI's impact on accountability

Events to Promote ATI

- Government and CSO awareness campaigns
- Regular training for Information Officers
- Annual RTI reports published and made accessible

Summary & Key Takeaways

- Strong institutional commitment to ATI
- High case resolution rate by NIC
- **Priorities**:
  - Expand local-level monitoring
  - Improve public awareness campaigns
  - Strengthen training
  - Address NIC resource and capacity gaps



ISLAMIC REPUBLIC OF PAKISTAN

Submitted by:

Khyber Pakhtunkhwa Information Commission

Overview

- RTI journey began with a 1997 ordinance
- Constitutional status under **Article 19(A)** (2010)
- KP RTI Act (2013): most progressive in Pakistan
- Covers **public bodies and NGOs** receiving public funds
- KP Information Commission:
  - 3 commissioners
  - Independent body for implementation, complaints, awareness, and disclosure

Monitoring of FOI Law Implementation

Key Implementation Highlights:

- Independent KP Information Commission
- Streamlined complaints process
- Proactive disclosure mandate for public bodies
- **2025 Amendment**:
  - Appellate authority moved to Peshawar High Court
  - Reinforces Commission's autonomy

Challenges:

- Operational constraints due to reduced donor funding
- Limited resources affecting outreach and enforcement

Events to Promote ATI

- Seminars/workshops in:
  - Universities
  - Communities
  - Women’s groups
- **Radio campaigns**: Radio Meezan (e.g., Radio Meezan, FM 92.2
- Digital/print awareness
- **Judicial Academy webinar** (2024)
- Collaborations with:
  - GIZ
  - World Bank
  - Other development partners

Summary & Key Takeaways

- KP sets the benchmark for RTI in Pakistan
- Strong legal framework and active enforcement
- **Key strengths**:
  - Expanded Commission powers
  - Diverse public outreach
- **Remaining gaps**:
  - Funding constraints
  - Need for sustained stakeholder support



REPUBLIC OF THE PHILIPPINES

Submitted by:

Presidential Communications Office

Freedom of Information-Program Management Office

Overview

- **Lead Agency**: FOI-Program Management Office (FOI-PMO), under the Presidential Communications Office
- **Mandate**: Implement Executive Order No. 2, s. 2016
- **Functions**:
  - Manage eFOI Portal
  - Train FOI Officers and LGUs
  - Conduct awareness campaigns
  - Provide technical support for institutionalizing the FOI Program

Monitoring of FOI Law Implementation

Key 2025 Statistics:

- 340,167 eFOI users
- 684 onboarded agencies
- 6,035 FOI Officers
- 89 LGUs with FOI mechanisms
- 448,000 total FOI requests
  - 245,613 via eFOI portal
  - 202,203 standard paper-based
- **Average response time**: 8 working days

Major Challenge:

- Temporary **eFOI Portal shutdown** → Manual processing of requests

Relevant Law Cases and Resolutions

Legaspi v. COMELEC (G.R. No. 264661, July 2024):

- FOI cannot compel a full manual recount in elections – undue burden on agency

Memorandum Circular No. 24-002:

- Guidelines for processing FOI requests during portal maintenance

2025 FOI Awards Guidelines:

- Set criteria to recognize agencies, LGUs, CSOs, NGOs, and other development partners advancing ATI

Events to Promote ATI (2024–2025)

For Government:

- **FOI Bootcamp**: Three-day training for newly designated FOI Officers to build capacity.
- **FRO Hangout**: Annual event for FROs to share challenges and best practices.
- **FOI Online Consultation System**: Troubleshooting and performance support

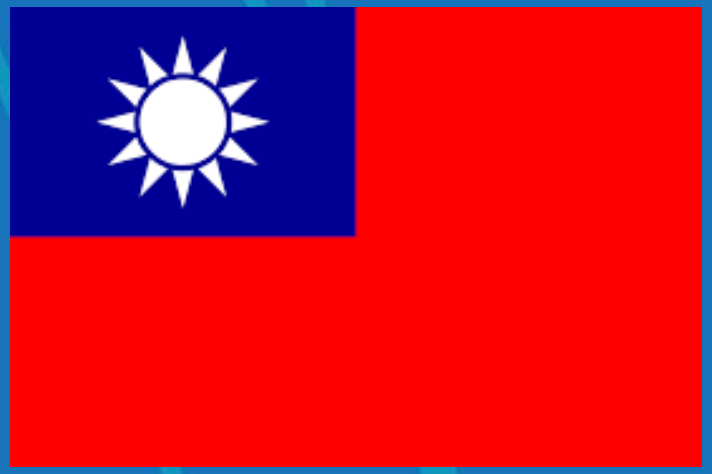
Events to Promote ATI (2024–2025)

For the Public:

- **Barangay FOI**: Supporting barangays with FOI ordinances and promoting the use of the eFOI Portal
- **Workshop for Librarians**: FOI as research tool
- **FOI Campus Caravan & Student Ambassadors Camp**: Youth engagement
- **Training-of-Trainers**: Prepares sector-specific FOI trainers.
- **CSO Hangouts**: Consultations with civil society

Summary & Key Takeaways

- Maintained **public access** despite eFOI portal disruption
- Robust engagement with n**ational agencies, LGUs, youth, and CSOs**
- Ongoing lobbying for a **comprehensive FOI law**
- Extensive **training programs and stakeholder engagement** for long-term sustainability



REPUBLIC OF CHINA (TAIWAN)

Submitted by:

National Development Council

Overview

Key Implementing Bodies:

- **Ministry of Justice (MOJ)**: FOI implementation and prosecutorial and legal affairs.
- **Ministry of Digital Affairs (MODA)**: Leads open data policy (50,000+ datasets published)
- **Personal Data Protection Commission (PDPC)**: Established Dec 2023; safeguards data privacy

Monitoring of FOI Law Implementation

Legal Framework: Freedom of Government Information Act (1995, amended 2023)

Supporting Guidelines & Initiatives:

- Draft Guidelines for Data Empowerment Management Architecture
- Guidelines for Privacy-Enhancing Technologies & Data Altruism Operations
- Guidelines for revised Metadata and Cross-Platform Integration
- Submission Process for High-Value Datasets

Upcoming Legal Development:

- March 2025 amendments to the **Personal Data Protection Act** to strengthen PDPC authority over both public and private sectors

Events to Promote ATI (2024–2025)

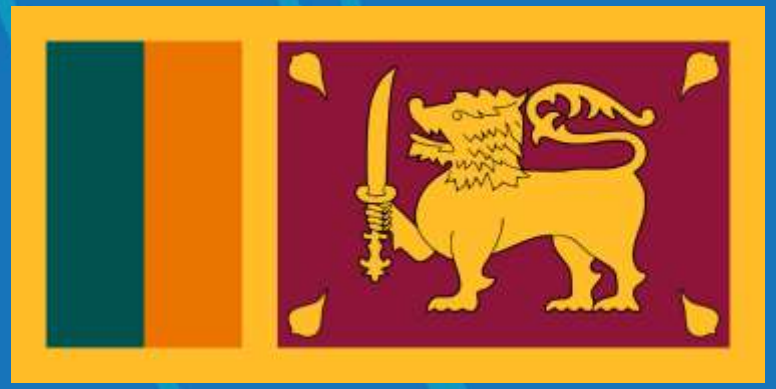
- **AAIA Forum Presentation (March 2024)**: Prof. Liu Ting-chi on communication and capacity-building
- **Data Quality Enhancement Training**: Supporting AI development and cross-agency coordination.
- **Government Data Application Empowerment Forum**: 6 case studies on data-driven problem solving
- **Public-Private High-Value Data Workshop**: Co-creating data tools & prioritizing datasets for innovation and AI

Establishment of New Authorities

- Pending Legislation: PDPC Organization Act (submitted March 27, 2025)
- Structure: Collegial body with commissioners serving 4-year terms
- Goal: Ensure independence, data protection, and effective oversight

Summary & Key Takeaways

- ROC is modernizing FOI and expand its transparency systems, combining open data, legal reforms, and stakeholder collaboration.
- Focus on data quality, safeguarding privacy, and making government data more usable for public benefit.
- Commitment to strengthening access to information in the digital age.



DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Submitted by:

Right to Information Commission of Sri Lanka

Overview

- **Legal Foundation**: RTI Act No. 12 of 2016, rooted in Article 14A of the Constitution
- **Oversight Body**: RTI Commission (RTIC), covering all public bodies and private entities using public funds
- **International Standing**: RTI Act was a central commitment under Sri Lanka’s Open Government Partnership

Monitoring of FOI Law Implementation

RTIC Powers under Section 11:

- Issues rules on fees, appeals
- Recommends disciplinary actions
- Can initiate prosecutions
- Enforces proactive disclosure (Sec. 8–10)

Challenges:

- Staffing shortages and Budget constraints, but continues oversight and advocacy
- **IMF Governance Report (2023)**: Recognized Sri Lanka's RTI as a global model

Relevant Law Cases and Resolutions

- **Chartered Accountants Case (2025)**: Upheld disclosure of fraud-related records
- **Rohandeera v. Chamara Sampath (2023)**: RTI overrides asset secrecy laws for MPs
- **Litro Gas & People's Bank Cases**: Disclosure ordered despite privacy/trade secrecy claims
- **Pending Appeals**: 36 by PAs at the Court of Appeal – courts consistently affirmed RTIC authority

Events to Promote ATI (2024–2025)

- **Provincial Consultations**: With media and CSOs to train PAs and IOs
- **Proactive Disclosure Consultations**: With President's and PM's Offices on large-scale project transparency
- **Gender-Focused Initiative**:
  - Led by Comm. Kishali Pinto-Jayawardena
  - Workshops on women's access to RTI
  - Culminated in publication: *Breaking Barriers: Women and RTI in Sri Lanka*

Summary & Key Takeaways

- Sri Lanka’s RTI law is among South Asia’s strongest
- Citizens use RTI to monitor government sectors including procurement and education
- Courts affirm RTIC’s role despite institutional constraints
- RTI in Sri Lanka remains a vital tool for **transparency, justice, and reform**

Germany 2025

THANK YOU!