

**A Citizens' Guide
to the
2010 Liberia Freedom of Information Act**



**TELL IT, SHOW IT,
LET'S KNOW IT!**



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*“Everyone has the right to...seek, receive and
impart information...”*

Article 19, Universal Declaration of Human Rights

*“...access to information is indispensable to genuine democracy and
good governance and...no limitation shall be placed on the public right
to be informed about the government and
its functionaries.”*

Preamble, Liberian Freedom of Information Act

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INTRODUCTION

Liberia's Freedom of Information (FOI) Act, signed into law on September 16, 2010, provides all persons the right of access to public information. The right of access to information is a fundamental human right guaranteed by the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, as well as the Constitution of Liberia. Freedom of Information laws or regulations have been passed in over 90 countries around the world, with an even greater number enjoying a constitutional right to information. Liberia is the first county in West Africa to establish a comprehensive right to information law and the sixth in Africa.

Advancing the right of access to information is a joint responsibility between the government and its citizens. While the government must assure full and effective implementation and enforcement of the FOI Act, it is up to the citizens to monitor government efforts and to use the law. Ultimately, the value of the FOI law rests in its implementation and use as it is only by seeking and making requests for information, that the benefits of access to information can fully be enjoyed.

This publication is not a comprehensive explanation of the FOI law. However, we hope that it will serve as a helpful guide to assist you in understanding the benefits of the new Freedom of Information Act, some key specifics about the law, how to file a request for information, and serve as a reminder of the value and importance of the right to information.

GLOSSARY OF TERMS

Access to Information: Access to information is used synonymously with **Freedom of Information**. The right of the public to request, receive, review, reproduce, and retain records and documents held by public agencies and private entities performing public functions or receiving public funding.

Appeal: To request a review of a particular decision, or failure to respond, to a higher tribunal.

Automatic Publication: The dissemination of information by a public agency or private entity receiving public funds or providing public services as it is generated or received, irrespective of whether a request for the information has been made. The FOI Act mandates certain key classes of documents/information be automatically published.

Document(s): Any retrievable or reviewable record in any form, whether written, printed, audio, visual, or electronic. These may include, but are not limited to maps, diagrams, photographs, film, micro film, video-tapes, sound recordings, machine-readable records, etc.

Exemption: A legal reason found within the FOI Act why the Government of Liberia and private entities receiving public funds or providing public services must withhold disclosure of a document. When an exemption applies, the public agency or private entity receiving public funds or performing public functions must show why the harm of disclosure outweighs the public interest in knowing the information.

Independent Information Commissioner: An individual appointed by the President of Liberia with the advice and consent of the Liberian Senate who is mandated by the FOI Act to oversee the implementation of the FOI Act, including compliance with the law. The Information Commissioner reviews all appeals from internal review. The Independent Information Commissioner shall enjoy operational, investigatory, and regulatory autonomy, and general independence in the exercise of his or her work.

Information: Records/data of facts, people, subjects, events, phenomena, processes, etc. that are created and received, regardless of their form (hard copy documents, electronic documents, records, videos, films, photos, drawings, schemes, notes, maps, etc.).

Information Officer: Also called “**Designated Officer.**” A person appointed within a public agency or private entity receiving public funds or performing public services who is responsible for receiving requests for information held by the agency or entity and coordinating the response(s) of the agency or entity; serving as the primary FOI contact of the agency or entity; promoting best practices in records management; and assisting the public in filing requests for information.

Internal Review: A review of a negative decision or action or failure to act regarding a request for information. An internal review is conducted by a senior official or an internal information request review body established by each public agency.

Judicial Review: A review of a negative decision or action regarding a request for information or allegedly high reproduction fees that is carried out within the Civil Law Court in Montserrado County and/or in the Circuit Court of the county where the agency exists.

Public Agency: All bodies, entities, corporations, ministries, and other institutions owned wholly or substantially by the Government of Liberia.

Public Function: Any act normally carried out by the Government or any of its agencies, ministries and institutions.

Public Servant: A person who holds a government position by election or appointment.

Public Services: Services rendered for or to the general public at cost or for free, and includes sanitation, health, transportation, banking, education, broadcasting and telecommunications, etc.

Publication Scheme: Any publication by a public agency providing detailed information to the public on the nature and activities of that agency and information it holds.

Public Record: A record, manual rule book, regulation, or other documents produced or received by, being used or having been used by, possessed by or under the control of a public agency, whether in written form, recorded, stored in electronic form, or in any other device, in pursuance of legal obligations or in the transaction of business.

Private Entity: Any body, business or otherwise, owned by private persons that receive public funds or benefits.



For a complete Glossary of Terms in the Liberia FOI Act, see pages 1-2 of the law

THE VALUE OF (FREEDOM OF INFORMATION) ACCESS TO INFORMATION

The right of access to information is a fundamental human right now enjoyed by over 4 billion people in 90 countries around the world. Access to information is essential to assuring the exercise of all other rights, such as the right to education, health care and clean water. With information, people can more fully participate in public life, help set priorities for government spending, understand decisions taken in their name, and hold leaders to account. The right of access to information is particularly critical for vulnerable populations, including women and minorities, as with greater access to information they are better able to make informed decisions and enjoy more participation in democratic processes. A well informed society will be better able to influence government policies and enjoy the benefits of a vibrant and sustainable democracy.

Equally important, establishing the right of access to information is good for the government. It helps the public administration to be more effective and efficient, to have the necessary information to make good and equitable decisions, and to properly apply scarce resources. With a flow of information, there will be less duplication of efforts, time saved to do other work and better customer service. Access to information is the cornerstone of a modernized public administration.

Perhaps most importantly, in the long-term, the free flow of information will enhance trust between the government and its citizens.

In sum, the right of access to information:

- ◆ Is a fundamental human right
- ◆ Is critical to the exercise of other rights such as the right to education, health care, and clean water
- ◆ Is a tool in the fight against corruption
- ◆ Is necessary for good governance
- ◆ Increases transparency and government accountability
- ◆ Provides a clearer understanding of government policies
- ◆ Promotes citizen participation
- ◆ Fosters more efficient and effective public administration
- ◆ Improves use of scarce resources

THE VALUE OF (FREEDOM OF INFORMATION) ACCESS TO INFORMATION (cont.)

- ◆ Encourages foreign investment
- ◆ Ensures equity and fairness in government processes
- ◆ Is a key component of a modernized public administration
- ◆ Enhances citizen trust and confidence in government



FOI IN ACTION: INTERNATIONAL CASE STUDIES



SAFETY OF CHILDREN IN JAMAICA'S ORPHANAGES

After finding that the allegations of abuse, neglect, and endangerment of children in Jamaican orphanages was true, the government recommended changes in the management of children's homes. Five civil society organizations worked together to use the Jamaican Access to Information Act 2002 to determine whether the government's recommendations were being implemented and whether conditions in these orphanages had improved.

These groups made over 40 requests, including requests for documents on the number of evaluations done in children's homes; the number of children and the number of beds in each orphanage; the number of children who had died in homes over the last 5 years and causes of death; and copies of physical audits of the homes. Additionally, requests were made for the schedule of counselling visits; the number of trained professionals available to serve the orphanages; and the records of group counselling sessions such as where and when they were conducted, attendance, duration, and plans for follow up. Requests also were made of four privately run children's homes that received public funding.

The government responded to almost all of the requests, granting access to over 100 documents with an exemption only being claimed for financial information. With the information they received the groups were able to suggest recommendations for immediate and long term solutions to address the violations of the Child Care and Protection Act, Guidelines and Standards of Care.

With this information, these civil society organizations were able to assure that children in orphanages were safe from physical and sexual abuse and that they were properly cared for. By making requests for this information, they were better able to protect the most vulnerable population in our society-our children.

UNDERSTANDING THE FREEDOM OF INFORMATION ACT

BASIC PRINCIPLES AND OBJECTIVES OF THE LAW

- ◆ Information is a fundamental right guaranteed by the Constitution of Liberia and the Universal Declaration of Human Rights as well as the African Charter on Human and People's Rights.
- ◆ Freedom of information is important for genuine democracy and good governance.
- ◆ The FOI Act is intended to promote and protect the effective, equitable, and affordable exercise of the right of access to information.
- ◆ The right of access to information includes the right to request and receive information, especially information related to public interest.
- ◆ Every person, irrespective of nationality or residence, has the right to information held by public bodies and private entities that receive public funds or perform public functions.
- ◆ Public bodies hold information not for themselves but in the name of citizens and for the public good.
- ◆ All public information should be made available upon request or proactively disclosed unless it falls under one of the clearly defined exemptions.
- ◆ Citizens requesting information do not have to provide a reason for their request or show that the document relates to them in any form.
- ◆ The government also has the duty to make as much information as possible available automatically, without the need for a specific request.
- ◆ Requests for information should be processed rapidly and fairly, without excessive fees or overly formal procedures.
- ◆ For persons who are denied information or are in any way dissatisfied, there are procedures for requesting an internal review, seeking an appeal before the Information Commissioner, and requesting a judicial review.

WHO? WHAT? WHERE?

Who can request and receive information?

Anyone can make a request. Under the FOI law, everyone has the right to request and receive information without having to give any reason or justification or have a “legal interest” in the information.

Who has the obligation to provide information?

All public agencies of the Government of Liberia are required to provide information under the FOI law. These agencies include but are not limited to:

- ◆ All branches and levels of government
- ◆ Ministries
- ◆ Bureaus
- ◆ Departments
- ◆ Autonomous agencies
- ◆ Public corporations
- ◆ Commissions
- ◆ Committees & sub-committees
- ◆ Boards
- ◆ Military and paramilitary institutions
- ◆ All other government bodies supported by public resources form

Additionally, private entities that perform duties normally carried out by the government, provide public services, or receive public funds or benefits have the obligation to provide information under the FOI act. This includes academic institutions such as schools and universities; health service providers and hospitals; telecommunications operators; banks; and other similar entities. The information requested must relate to the public service or funds that the private entity performs or receives.



The FOI Act covers all branches and levels of government and private bodies performing public duties/services or receiving public funds

While personnel in all public agencies and private entities covered by the FOI Act are responsible for complying with the law, at least one staff member in each agency/entity should be chosen to serve as the designated Information Officer. The Information Officer is responsible for receiving requests for information held by the agency or entity and coordinating the response(s). The designated Information Officer serves as the public's primary contact for the agency or entity relative to requests for and provision of information. His/her responsibilities also include helping the public to file requests for information.



Every public agency must have a designated Information Officer that is available to help you file a request for information

What kind of information can I request?

Any information can be requested—written, printed, audio, visual or electronic form. This includes any document that has been produced, received, used, controlled and/or possessed by any government agency or private entity that provides public services or receives public funds. Examples of such information include:

- ◆ Information about an agency's operation, such as its actions, budgets, and expenditures – how much money was received, spent and on what
- ◆ Agency policies
- ◆ Agency decisions and the basis and justification for the decision
- ◆ Statistical information
- ◆ Administrative staff manuals
- ◆ Laws, codes, statutes, and regulations



Any information may be requested

How can I learn where to obtain information?

Every public authority is required by the FOI law to create and maintain a user-friendly and widely accessible “publication scheme” that includes detailed information regarding its core functions, the nature of its activities and operations, and the types of documents/information it holds.

More specifically, the publication scheme should provide:

- ◆ Contact details for the authority’s Information Officer
- ◆ Clear description of the organization, function and powers of the agency and an explanation of how it makes decisions and discloses information
- ◆ Location and types of categories of documents and information the agency holds
- ◆ Procedures for accessing documents or information.

If you are not sure which authority holds the information you wish to obtain, you can review the publication scheme, ask the Information Officer in the agency that you think holds the information, or simply file your request with the agency. The agency is obligated to transfer requests in the event that you filed your request at the wrong place. The Information Officer has the duty to assist you with filing requests and obtaining information.



Each public agency should have an easily accessible Publication Scheme, which will help you know where to make a request. They must also help you file your request properly.

See Section 2.1 of the Liberia FOI Act for more information on publication schemes

AUTOMATIC PUBLICATION

Can I obtain information without needing to file a request?

The law requires that some information be made available to the public without the need to file a request for information. Information that is made available without the need for a request is considered to be “automatically published” or “proactively disclosed” information, and public agencies are required to provide this information through a website or physical publication. The types of documents subject to automatic publication include:

- ◆ Legislation
- ◆ Existing policies, procedures, and rules
- ◆ Budgets
- ◆ Financial accounts
- ◆ Material contracts
- ◆ Organizational charts
- ◆ Procedures for appealing decisions of the authority or its officers
- ◆ Other information that supports the public’s ability to deal with and monitor the authority’s performance

Automatic publication is a useful tool for government and citizens alike. When documents are automatically published, there is no need for public servants to conduct a time consuming and costly search for documents to satisfy your request. Moreover, you can receive the information you need more immediately, without having to make a specific request.



Certain categories of information must be made available to the public without a specific request. When you want a specific document, you should first see if it has already been published.

See Sections 2.5 and 2.6 of the Liberian FOI Act for more information on automatic publication

FOI IN ACTION: INTERNATIONAL CASE STUDIES



CORRUPTION OF THE UGANDAN EDUCATION SYSTEM

Uganda has a national policy to grant funding to primary schools for instructional materials. The funds are nationally distributed based on the number of children attending school. In 1996, it was noticed that even though education funds had increased, reports showed no sign of increased spending at the local schools. To investigate this, Uganda carried out a public expenditure tracking survey, measuring how much of the public resources actually reached local schools. The survey found that during 1991-1995, the schools received on average only 13% of the funds, and a majority of schools received nothing.

Newspapers investigated and found evidence of theft. The local government was misusing 80 cents of every dollar that should have been spent on the grant program. The misuse of funds was aided by a lack of information- most schools did not even know they had been awarded grant money.

In response, the government began an anti-corruption newspaper campaign. In the national and local language newspapers, the government published reports on the school grant amounts and how the money should be spent. Primary schools posted public notices on all funds they received. These measures gave Ugandan citizens access to the information they needed to understand and monitor the grant program.

The strong response from central government to give more information to citizens led to great improvement in money reaching schools. By 2001, 80% of the funds were reaching schools, compared to 24% in 1995. In the mid 1990s, the average school received nothing. In 2001, it received 82% of its grant funds. Additionally, student enrollment and achievement increased in schools that received their share of grant funds. Perhaps even more importantly, schools and parents became more informed and could then make better choices about how to hold local government accountable.

FILING A REQUEST

How can I file a request for information?

You can make a request for information in writing, by electronic mail, orally or by any alternative means. Your request should describe the information you want with enough detail to help the public agency or private entity easily identify the information you want. When this has not been done, the public agency or private entity should work with you to clarify what information you are requesting.

You do not need to provide a reason for why you want the information. The agency should not ask you why you want the information or how you will use it. The public information belongs to you.

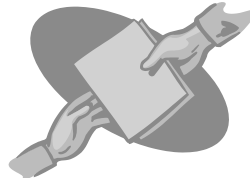
You can file a request for information with the public agency or private entity that you think holds the information you want. It is up to that agency or entity to transfer the request if they do not hold the information you requested and inform you where they have transferred your request.

Requesting information should be as easy as possible without specific forms or formalities. If you need help, the agency Information Officer is there to assist.

Some information may already be available without having to file a request, as noted in the previous section on automatic publication.



Requests for information can be written, by phone, or in person. Filing a request should be as easy as possible.



See Chapter 3 of the Liberian FOI Act for more information on procedures for filing a request for information

SAMPLE REQUEST LETTER

City, Date

Dear Sir or Madam:

Freedom of Information Officer

(Name and Address of Government Agency /Public Authority/ Private Entity exercising public functions or providing public services from which information is being requested)

Ref: Freedom of Information Request and Subject

(Including a few words to identify the subject of the request)

Pursuant to the Freedom of Information Law of Liberia, I hereby request access to all the documents in possession of the _____

(Name of Agency), regarding _____

(description of the requested information) and a copy of all records pertaining to _____

(description of the subject or document containing the requested information).

I will expect a response within 30 working days as established in the law.

Provided that the requested information is under the possession of a different Agency /Public Authority/Private Entity, please transfer the request to the public authority or private entity believed to hold the requested information with notice to me.

If my request is denied in whole or in part, please provide detailed justification in accordance with the exemptions defined by the Law.

Thank you for your prompt attention to this matter.

Very truly yours,

(Name and Contact Information)

COST

Will I be charged for the information?

The application for information and search are free. The requested documents also may be viewed for free. However, if you want a copy of the document, they may charge you for the actual cost of reproducing the requested information, such as photocopying, transcribing, scanning, or other forms of reproduction.



Asking for information is free. You can only be charged for the actual costs of reproducing the documents you want.

If you think that you were charged too much for the reproduction of the requested information or the agency tried to charge you for other things, you may ask for an internal review of the decision. In an internal review, a senior official or review body will look at the fees charged to see if they are within the law.

If you are still not satisfied, you may file a complaint with the Information Commissioner. More information about the appeals process is available on page 25 of this guidebook.



If you think you were charged too much for reproduction of the information you requested, you can appeal



See Sections 3.11 and Chapter 6 of the Liberian FOI Act for more information on fees associated with the reproduction of requested information and appeals procedures

FOI IN ACTION: INTERNATIONAL CASE STUDIES



PUBLIC HOUSING FRAUD IN SOUTH AFRICA

In 2004, the Weston community held a meeting to talk about their local councillor ignoring their concerns, particularly regarding housing. For more than seven years, the government had promised to build more houses in Weston, but none had been constructed. 40 plots stood empty. The leader of the Weston community said they had attempted to get answers from the official responsible, the Housing Development Manager, but received no helpful explanation.

On behalf of the Weston community, a civil society organization--the Open Democracy Advice Centre--made many requests for information using the South African Promotion of Access to Information law. Specifically, they asked for documents explaining what had happened with construction, including council minutes and reports by building.

The local government explained that the houses had not been built because there was not enough available land in Weston. The community disagreed. They knew the local government had signed contracts with private business people and farmers to lease large amounts of land for new housing. To confirm, they asked for copies of all the government's land contracts. The community also requested a copy of contracts between the local government and the building contractor as well as copies of agreements between the housing department and the local government. Eventually, the community received a bundle of documents including minutes from relevant council meetings and important contracts.

With all the pressure for more information coming from the Weston community, the local government restarted the housing project and completed the 40 homes. As a result of the requests for information, there was finally a resolution of what had been a deadlock issue for the people of Weston for over eight years – their right to housing.

THE AGENCY RESPONSE

After filing a request, what should I expect to happen next?

Once you have filed a request for information, the agency must begin to process your request. Each agency might develop its own internal processing guidelines, but generally the process of your request begins with the agency recording the date your request was received, acknowledging receipt of your request, reviewing the request, and determining whether the information you want is held within the agency.

In most cases, upon receiving a request for information, the Information Officer or other designated public servant should:

- ◆ Provide you with written confirmation that your request for information has been received and tell you the maximum number of days it should take to respond to your request
- ◆ Inform you if the information you want already has been automatically published and tell you how to locate the document
- ◆ Verify whether it holds the information you want, and if not, transfer your request to the correct agency
- ◆ Provide you with one of the following responses:
 - ◇ Inspection or copy of the requested information
 - ◇ Written denial of request
 - ◇ Notification of transfer of request



The agency must acknowledge your request and provide a response or the document

When will I receive a response?

The agency must provide a quick response to all requests for information either by post, e-mail, or hand delivery within thirty (30) calendar days.

If the agency can show reasonable cause, it may extend the period for responding one time. The one time extension is for a maximum of an additional thirty (30) days.

If the agency does not hold the information you requested, it can transfer your request one time to the correct public agency or private entity within fifteen (15) days. If the agency to which the request was transferred does not hold the information you want, your request can be transferred one additional time, but must be transferred ten (10) working days (about two weeks) after receipt. Each time a request is transferred, up to a maximum of two (2) times, the agency transferring the request must inform you where the request has been transferred.



-
- ◆ ***30 calendar days to respond to the request for information***
 - ◆ ***30 additional days if reasonable cause is shown***
 - ◆ ***2 transfers allowed maximum***
 - ◇ ***First within 15 days***
 - ◇ ***Second within 10 days***
-



See Chapter 3 of the Liberian FOI Act for more information on filing a request for information

EXEMPTIONS

Can my request be lawfully denied?

The law states that a request for information, can be denied ONLY if the information you want falls under one of the exemptions outlined within the FOI act and the harm of disclosing the requested information is more than the public's interest in seeing the document.

All denials must be in writing, provide the reason for being denied, and be delivered to you within thirty (30) calendar days of the date the request was filed, except for cases of transfers as discussed previously.



Your request can only be denied if the information falls within an exemption and the harm of disclosure is greater than the public interest

What are the exemptions included in the FOI Act?

The Liberian FOI act indicates that a document, information, or record is exempted from public access ONLY if the release of the information would cause injury or substantial harm to:

- ◆ *National security, defense, or international relations*
- ◆ *Criminal Investigation*
- ◆ *Trade Secrets*
- ◆ *Privileged communications*

A document is exempt from the general right of access to information when it would be an unreasonable disclosure of *personal information*.



Personal information is generally exempt from disclosure

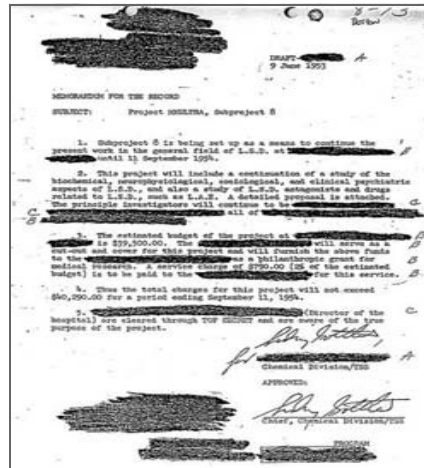
When part of the document has exempt information, only that part should be excluded from disclosure and the rest of the document released to you.

Also, public agencies and private entities cannot just claim that the information you want falls under an exemption, is confidential, or secret. They must also show that the harm of disclosing the information is greater than the public interest in knowing the information. To satisfy the public interest test, the agency must show the following:

- ◆ The requested information falls under one or more of the exemptions listed in the FOI Act
- ◆ Disclosure of the information will or is likely to cause injury or substantial harm to the interest protected by the exemptions
- ◆ The harm to be caused is greater than the benefit to be gained if the information was provided

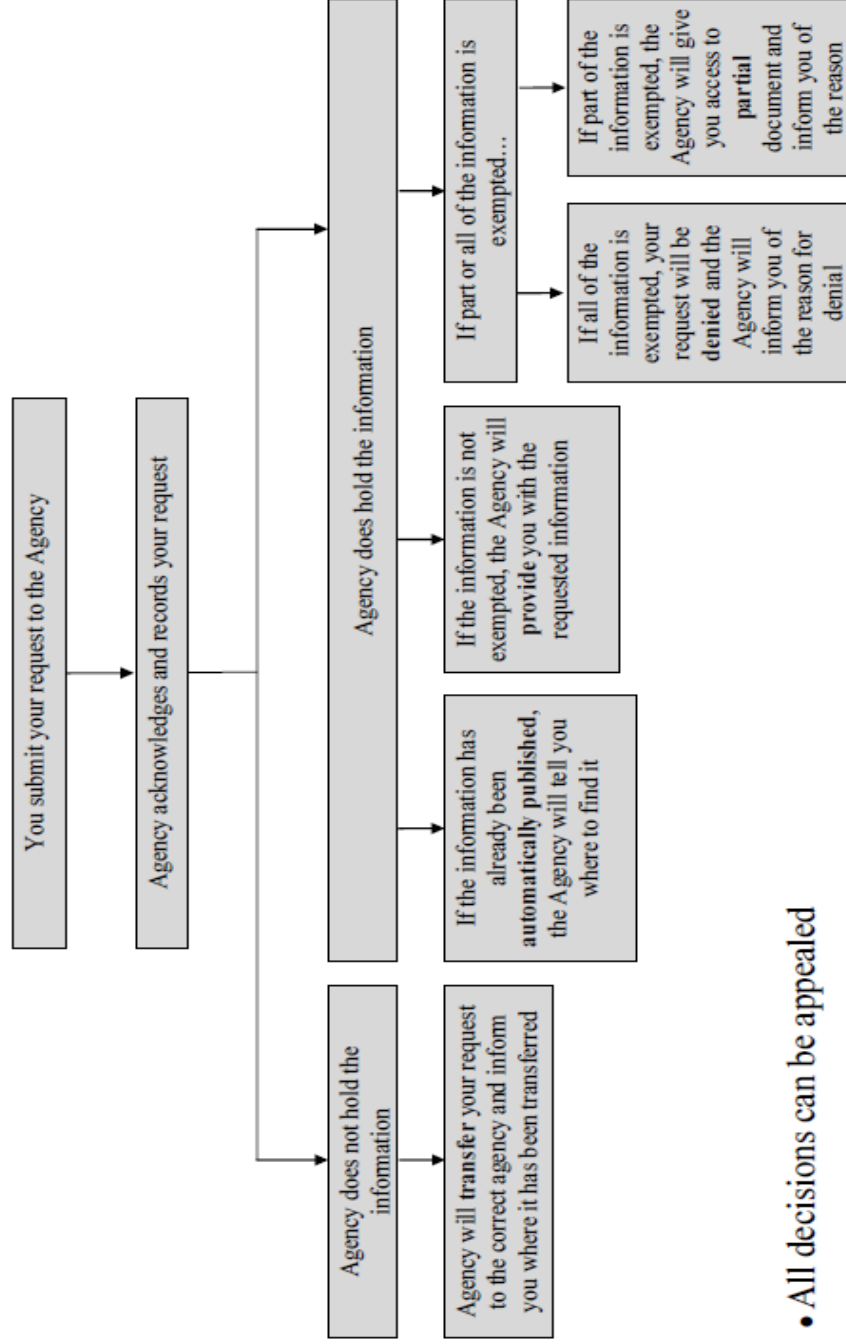
Exempted information can only remain exempt from disclosure for a continuous maximum period of fifteen (15) years.

Example of a document with exempted material redacted:



See Chapter 4 of the Liberian FOI Act for more information on exemptions and the public interest test

FLOWCHART: POTENTIAL AGENCY RESPONSES TO FOI REQUESTS



• All decisions can be appealed

APPEAL PROCEDURES AND GOING TO COURT

What if I am not satisfied with the agency response or the agency does not respond?

If you receive:

- ◆ no response within the time period
- ◆ a denial of information
- ◆ a partial document
- ◆ a transfer notice with which you disagree
- ◆ a fee/charge you think is too high
- ◆ or any other negative decision

you have the right to ask for an internal review. In an internal review, a senior official or internal review body will review your appeal and provide you with the outcome of the review in writing within thirty (30) working days (about 6 weeks).

If you are still not satisfied, you may appeal to the Independent Information Commissioner. The Information Commissioner is required to review your request for appeal and provide his/her final decision.

It is important to note that you do not need an attorney to appeal for an internal review or to the Independent Information Commissioner.



If you are not satisfied with an agency decision or you do not receive a decision, you may request an internal appeal. If you are still not satisfied, you may appeal the internal review decision to the Information Commissioner. You do not need a lawyer for making an appeal.

Throughout all appeals processes, the agency must prove that their decision is legal under the FOI law. If your request is denied because of an exemption, the agency will have to show that disclosure of the document you requested would likely cause a substantial harm that is greater than the benefit to the public.

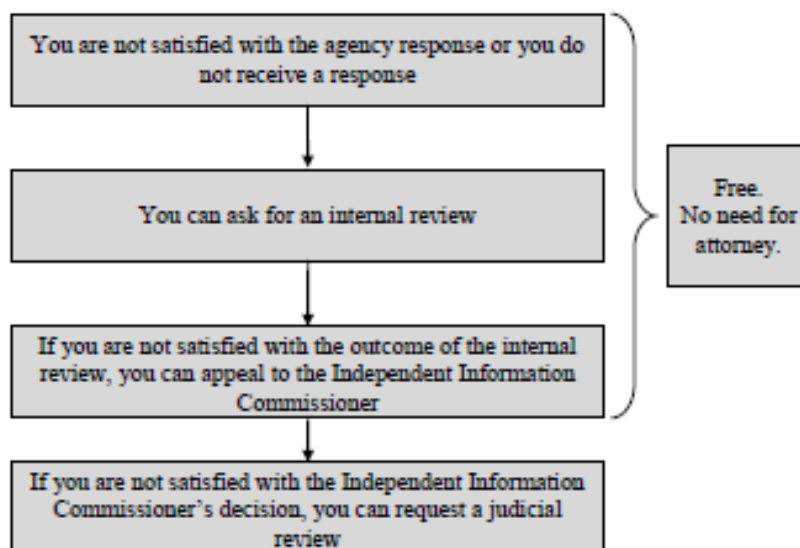


It is up to the agency to prove why they made the decision and that the decision is consistent with the law

What if I am still unsatisfied?

If you are still not satisfied with the Information Commissioner decision, you have the right to request a judicial review before the Civil Law Court in Montserrado County and in the Circuit Court of the county where the public agency or private entity is located.

Summary of appeals mechanisms:



See Chapter 6 of the Liberian FOI Act for more information on appeal mechanisms

FOI IN ACTION: INTERNATIONAL CASE STUDIES



RIGHT TO WATER IN INDIA

Freedom of information is central to receiving the right to water. Communities that make requests for information about water management may help to promote transparency, accountability and good governance. In India, there are many examples of citizens using their right to information to access their right to water.

In 2011 under the Right to Information (RTI) Act, Major General SCN Jatar, frustrated with inconsistent access to water, requested information about the effectiveness of the Pune Municipal Corporation (PMC) water supply department. At first, Jatar did not receive information from PMC, so he filed an appeal. Again, he did not receive the information and filed a second appeal, this time to the state information commissioner of Pune.

PMC said that replying to Jatar's request for information took time because there were no systems in place to measure the delivery of water supply. PMC officials agreed to discuss the issue with Jatar and appoint a high-level committee, including members of civil society, to consider reorganization of the water department including new systems for measuring supply and proactively disclosing information to the community.

In another example, New Delhi decided to privatize their water supply, awarding a multi-million dollar contract to PricewaterhouseCoopers (PwC). The Delhi Jal (Water) Board opposed this contract as they ranked PwC lower than others who were bidding for the contract. Under India's RTI Act, a civil society group requested details of the bidding process which showed that the deal would create large profits for water companies, raise the price of water, and deny water to the poorest citizens. The plan also required local communities to install the pipe themselves, burdening the people with more costs. Because they exercised their right to information, citizens were able to demand that the New Delhi government cancel the contract, saving millions of dollars and making sure that the people received affordable water.

STEPS FOR MAKING A FOI REQUEST

1. Decide the information you would like to receive and come up with as detailed a description as you can for the records or documents.
2. Identify which authority/entity holds the information you want.
3. Check to see or ask if the information has been automatically published. If it is already available, you can ask the agency where to find it without the need for a request.
4. Prepare the request for information (A sample request letter is provided on page 17 if you wish to file the request in writing).
5. Mail, email, phone, or deliver your request in person.
6. Make a note on your calendar of the day you filed the request and the thirty (30) day deadline for the agency to provide you with the documents you requested.
7. If you are not satisfied with the response or you do not receive a response within thirty (30) days, you can ask for an internal appeal.



DIALOGUE: MAKING A FOI REQUEST

Boima:

Kollie, why you sit down like that? You thinking on something oh. The way you sit down so.

Kollie:

My man, Boima, my son school fee business giving me hard time.

Boima:

Kollie yourself yah. Go to the Ministry of Education and get information on how your son can get a scholarship. The boy is clever.

Kollie:

But Boima, how I can get information on the scholarship. They say some big big country that friendly with Liberia give the country plenty scholarship for our children to go to school free.

Boima:

Kollie yourself, you not hear about the law they call Freedom of Information. You can ask for information from any government office or person, or even private groups that receive government money or the groups that serve the public.

Kollie:

So what happen when I ask for information?

Boima:

Look Kollie. You can ask for information by writing a letter, by word of mouth and even through e-mail. The government office or person you writing can give you the information in 30 days or they can send your request to the government office that get the information you are asking for. The government working house you ask for the information can decide not to give you the information.

When they don't give the information, you can carry their complaint to the big man in that same working place.

When the big man in that office say they should not give you the information, then you will carry your complaint to one other big government office they call Information Commissioner.

TIPS FOR FOI SUCCESS

- ◆ FOI is your right, and it is not just for the media or the elite.
- ◆ There are many civil society organizations in Liberia that are working to advance freedom of information. In the event you need help, don't hesitate to ask.
- ◆ The Information Officer or other personnel chosen in each public agency to handle FOI requests are available if you need help filing a request or have any questions about the response or appeals procedures.
- ◆ Expect professional behavior from those individuals who hold the information you seek, and act professionally during your interactions with them.
- ◆ If you experience any resistance, document everything that happened, including the name and date of any conversations.
- ◆ Avoid making a request for all documents relating to a general subject matter. Instead try to be specific and detailed in your request.
- ◆ Your request should not be in the form of a question, but rather a request for specific documents or records.
- ◆ If you want to see the documents in the agency office (called "inspection") it should be free. You only need to pay if you are asking for a photocopy/reproduction.

- ◆ If your request is denied, the agency must inform you of the reason for refusal and that you have the right to internal review and/or appeal.
- ◆ If you do not receive the documents you requested, consider asking for an internal review.
- ◆ If you are still not satisfied, you may file a complaint with the Independent Information Commissioner.



NOTES

The Carter Center is currently working in Liberia to support government and civil society efforts to establish greater transparency and improve people's rights through freedom of information.

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