



CENTRE FOR LAW
AND DEMOCRACY

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Canada: Statement on Draft Openness Commitments

On 23 July 2018, the government of Canada published its Draft Commitments: Canada's 2018-20 National Action Plan on Open Government, one of its obligations as a member of the Open Government Partnership (OGP), which Canada currently co-chairs. In response to a call for feedback, the Centre for Law and Democracy (CLD) today sent a formal Statement to the government outlining how the Draft Commitments should be improved to meet public demands in terms of access to information.

“We welcome the fact that the government is promising a ‘full review’ of the Access to Information Act,” said Toby Mendel, Executive Director, CLD. *“However, an identical promise to review the Act by the end of 2018 in the last National Action Plan will not be met and so, this time, we are asking for something more concrete, such as the tabling of a bill amending the Act in Parliament.”*

The government has largely failed to deliver on its promises to improve the Access to Information Act, despite some progress in the form of an Interim Directive adopted in May 2016 and Bill C-58, currently before Parliament. In addition to calling for a more robust main commitment in this area in the new Action Plan, the CLD Statement focuses on:

- The need to move the review forward, since it is currently timed to start only one year after Bill C-58 is adopted, which is likely to fall during the election period.
- The review promises to cover important issues such as the scope of the Act, the timeliness of responses to requests and exceptions, but CLD would also like to see other procedural issues and matters such as a duty to document addressed.
- The government should address the problem of delays on an urgent basis by putting in place soft measures immediately and then following up with law reform.
- Many of the draft commitments – such as to increase the number of public bodies accepting electronic requests by 50 each year – are too modest, especially given that in countries like Mexico all public bodies accept such requests.

The CLD Statement includes specific recommendations for improving Canada's Draft OGP Commitments. The Statement is available at: <https://www.law-democracy.org/live/canada-statement-on-draft-openness-commitments/>.

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