



CENTRE FOR LAW
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Puerto Rico: Right to Information Laws Adopted Recently are Weak

An assessment of two laws adopted recently in Puerto Rico to establish a legal right to access information held by government reveals the laws are very weak, according to an Analysis published today by the Centre for Law and Democracy (CLD). According to the RTI Rating (www.RTI-Rating.org), the two laws – the Transparency and Expedient Procedures for Access Public Information Law (Access Law) and the Open Data Law (Open Data Law) – score just 73 out of a possible maximum of 150 points, putting them in 88th position relative to the 128 national laws assessed on the Rating, in the bottom one-third.

“Puerto Rico needs stronger rules on the right to information if it is to implement its constitutional guarantee for this right properly,” said Toby Mendel, Executive Director, CLD. *“The current laws are far weaker than most of the national laws that have been adopted in the Americas.”*

CLD prepared the Analysis at the request of Red de Transparencia, a local civil society transparency network. The laws will be discussed today at an open public conference being hosted at the Facultad de Derecho, Universidad Interamericana de Puerto Rico from 4.30-6pm.

While Puerto Rico has strong guarantees for the right to information and the scope of coverage of the two laws is broad, some of the key weaknesses with them are as follows:

- There are important gaps in the procedures for making and responding to requests for information.
- The regime of exceptions is far too broad, earning just 23% of the available points on the RTI Rating.
- There is no independent administrative level of appeal.
- The system of sanctions and protections is very limited.
- There are few promotional measures to help support strong implementation.

CLD’s Analysis, in English and Spanish, and Executive Summaries in English and Spanish, are available at: <https://www.law-democracy.org/live/puerto-rico-right-to-information-laws-adopted-recently-are-weak/>

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