



For immediate release – 21 October 2009

**PRESS RELEASE**

**Brazil: ARTICLE 19 Presents Right to Information Analysis to Congress**

**On 14 August, ARTICLE 19 presented its analysis of the draft Access to Information Bill at a public hearing by a Special Commission of the Brazilian Congress, tasked with analysing the draft law. ARTICLE 19 calls on the Congress to ensure that it adopts a progressive right to information law.**

At the hearing, ARTICLE 19's Brazil Coordinator, Paula Martins, presented ARTICLE 19's Memorandum on the Draft Bill on Access to Information of Brazil. Martins highlighted a number of concerns, including the failure of the Bill to define the public bodies it would govern and the fact that decisions on access are made by reference to classification, rather than on the basis of a risk of harm from disclosure.

A key ARTICLE 19 concern is that the Bill fails to establish an independent body to decide on appeals from information requests and to take the lead on overseeing implementation of the law. ARTICLE 19 is of the view that this is a very serious failure which could jeopardise proper implementation of the law. This is substantiated by experience in other countries, including Mexico, where the oversight body, IFAI, has played a central role in implementing the right to information law.

This was the fourth and last public hearing of the Commission. The previous hearings, all of which ARTICLE 19 has attended or closely monitored, included presentations from representatives of the judiciary, government, press and civil society. The Bill is seen as a priority and, if approved by the Commission, will be voted by the full Lower House of Congress and then the Senate. Both the Commission's Chair and its Rapporteur indicated that the Bill would be approved by the end of this year. ARTICLE 19 welcomes the priority status of this Bill, but cautions that it is more important to get a good law than to rush through the Bill.

**NOTES TO EDITORS:**

- For more information please contact: Paula Martins, Brazil Coordinator, [paula@article19.org](mailto:paula@article19.org), +55 11 3057 0042
- Access the full analysis in English at: <http://www.article19.org/pdfs/analysis/brazil-memorandum-on-the-draft-bill-on-access-to-information-of-brazil.pdf> and in Portuguese at: <http://www.article19.org/pdfs/analysis/brasil-memorando-sobre-o-projeto-de-lei-de-acesso-a-informacao-do-brasil.pdf>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name

from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.