



**VOLUME 1 | ISSUE 3 | DECEMBER 2021**

# UMAL HOKAN

**THE OFFICIAL PUBLICATION OF THE FREEDOM OF INFORMATION-PROJECT MANAGEMENT OFFICE**

# THE FOI BILL

By Jaya Illustrisimo

The latest Technical Working Group meeting of the House of Representatives Committee on Public Information for the Freedom of Information (FOI) Bill conducted last 28 September 2021 via Zoom Teleconference was a symbolic day since the deliberation thereon was concluded on the same day that the world is celebrating the International Day for Universal Access to Information.

The FOI Bill is still pending in the Committee on Public Information of both Chambers of Congress. The final hearing for its approval is yet to be scheduled.

Meanwhile, FOI Program Director and Undersecretary Kristian R. Ablan asked the attendees of the recently held 2021 FOI Summit in Cebu for support to call on the Philippine Congress to expedite the passage of a FOI Law.



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## Reinventing Access to Information in the Philippines

By Danica Orcullo

**T**he fifth year of the implementation of the Freedom of Information (FOI) rose to the challenges brought by the pandemic yet reaped remarkable achievements in pushing for transparency and accountability in the government.

Established in 2016, the Philippines had its very own Freedom of Information (FOI) Program through Executive Order No. 2 (EO 2), s. 2016--an important milestone in the three (3) decade-long fight for FOI tracing its beginnings in 1987 during the 8th Congress. Since then, the Presidential Communications Operations Office (PCOO), through the FOI Project Management Office (FOI-PMO), has been given the task of overseeing and monitoring its implementation and ensuring that Filipinos are better informed, engaged, and empowered through increased access to information.

As we look back and reflect on the past five (5) years, it is only imperative to celebrate the FOI Program's successes and challenges since its inception and to recognize those who have significantly contributed to shaping the narrative of transparency, accountability, and good governance in the public sector.

In his speech during the 2021 FOI Awards

on Thursday night at the Radisson Blu Hotel, Cebu City, PCOO Undersecretary Kristian Ablan assured the national government agencies, state universities and colleges, government-owned and controlled corporations, and local water districts that the FOI-PMO will always be appreciative of their efforts in supporting the program.

"To the more than four thousand FOI officers, we salute your diligence and dedication to facilitate our citizen's information requests. Batid po naming hindi biro ang paglalaan ng lakas ng katawan at isipan sa paggalaan ng ganitong tungkulin (We know that it is not a joke to devote physical and mental strength to performing this duty)," Ablan said in his speech.

Further, PCOO Usec Ablan pointed that such endeavor serves as a testament that both the national and local government entities are united in fully affording the public with ample access to information.

"To the (LGUs) that passed their FOI ordinances, we commend your initiative to adopt a localized version of FOI program," Ablan said in his speech and commended as well the other awardees from the different government entities, state

universities, and local water districts.

During his closing remarks, PCOO Secretary and FOI Champion Jose Ruperto Martin Andanar reaffirm his commitment in the passage of the FOI Bill.

"On behalf of PCOO, I am one with FOI-PMO in pushing for the passage of the FOI Bill. We owe it to the Filipino people to have an all-encompassing FOI mechanism in the country. I appeal to our lawmakers to double the time and effort in making the change happen before the end of the administration. I am looking forward to FOI being implemented across all branches of the government and down to the Local Government Units (LGUs)," Secretary Andanar said in his speech.

Over the years, the PCOO has made remarkable strides in creating ripples and waves of positive and transformative change --- improving the FOI landscape through the development of policies, monitoring compliance, building partnerships, conducting capacity-building activities, which uphold and strengthen the people's constitutionally mandated right at a time where situations and expectations are continuously changing.



## PCOO-FOI PROMOTES RIGHT TO INFO THROUGH ARTS IN IDUAI 2021 CELEBRATION

By John Wilmer Jimenez

As the country's lead agency in the implementation and promotion of Freedom of Information, the Presidential Communications Operations Office (PCOO) celebrated the annual International Day for Universal Access to Information (IDUAI) by promoting the right to access information through different art forms.

The Freedom of Information - Project Management Office (FOI-PMO) under PCOO, marked its third year of celebrating IDUAI through the conduct of the nationwide FOI Multi-Arts Festival. The month-long contests showcased the creativity of Filipino artists and hobbyists in depicting the value of access to information in our democracy, and showcasing the government's transparency legacy through visual, literary, and performing arts.

"It is on building a legacy that FOI-PMO strives to sustain and spread its advocacies to the public. It is through an informative discourse and activities that our citizens are continuously enlightened, and are engaged more

meaningfully in FOI," PCOO Undersecretary and FOI Program Director Kristian Ablan said during the FOI Multi-arts Fest's virtual awarding ceremony on Tuesday.

This year's edition of the festival showcased the artistry of Filipinos in creating powerful message of transparency through essay-writing, photography, digital poster, jingle / song, and TikTok video. FOI-PMO has received a total of 258 entries from 230 participants from all over the country.

Further, in line with IDUAI's core objectives of strengthening people's right to information and enhancing government's information disclosure, the FOI-PMO also awarded various agencies that were well-commended by citizens for providing satisfactory FOI service. The FOI Service Experience Award is a customer-centric recognition based on feedbacks, comments, and assessments of the requesting parties on how agencies engaged customers and how they processed their FOI requests.

### Photography CHAMPION ROBERT I. FLORES

The black and white photo entitled, "Dyaryo sa Umaga, Kumot sa Gabi" was the winning photo in the 3rd FOI Multi-arts Festival. The photo by Robert Flores, a student and budding street photographer from Imus Cavite, tells the power of citizens to know, and discover the truth under our democracy.







@ravenangl

Khenete J. Caermare

The Tiktok entry of Khenete Caermare of Quezon City explains the benefit of asking for government information through FOI. Tiktok Contest is our new category this year, tapping the vast reach of this app by providing informative content on FOI.

## Tiktok Video CHAMPION KHENETE J. CAERMARE

The inaugural awardees for the FOI Service Experience Award were the Department of Health (DOH), the Department of Budget and Management (DBM), Philippine Statistics Authority (PSA), Overseas Workers Welfare Administration (OWWA), and the DENR-Land Management Bureau (DENR-LMB).

This is the sixth year of the declaration of IDUAI which is celebrated every September 28 since 2016. This year's theme "The Right to Know – Building Back Better with Access to Information" highlights the importance of access to information laws to the achievement of sustainable development goals, and more specifically of indicator SDG 16.10.2 on public access to information.

"Amidst this global pandemic, we need to reinforce the implementation of access to information laws to strengthen our government and social institutions, and promote FOI as a basic human right," Ablan said in his speech.

PCOO Secretary and FOI Champion Martin Andanar is confident of the accomplishments of FOI-PMO since its inception in 2016 in institutionalizing FOI in the government.

"This year, we ought to cement and preserve

our collective legacy – the Freedom of Information Program. Since 2016, we toiled, left no stone unturned, and wasted neither time nor effort in ensuring that we achieve our ultimate goal of keeping every Filipino informed and capable of making informed decisions," said PCOO Secretary Andanar.

PCOO, through FOI-PMO, continues to lobby for an all-encompassing FOI Law in the current Congress to institutionalize FOI in all levels of the government.

FREEDOM OF INFORMATION  
**Pamana**  
ng Taubayan



ELGHER MIGUEL O. MEJORADA

CHAMPION | Jingle-Making

"Freedom of Information ng Taubayan" was adjudged as this year's winning song entry from Elgher Mejorada of Pagadian City. The song reassures active citizen participation through FOI platform.



# 5 YEARS OF FREEDOM OF INFORMATION







The Freedom of Information – Project Management Office held its annual FOI Summit and Awards to commemorate its five (5) fruitful years of championing transparency and accountability, promoting good governance, and empowering Filipino citizens through access to information; and recognize government agencies and organizations who have made significant contributions to the development and progress of the FOI Program in the Executive Branch .

With the theme “Revisiting the Milestones, Reinventing the Future: Celebrating Five (5) Years of Freedom of Information Implementation in the Philippines”, the FOI Summit and Awards was held at the Radisson Blu, Cebu City on November 23-25, 2021.



# FREEDOM OF INFORMATION

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## FOI pushes for localizing Freedom of Information

By Valerie Valenzuela

The Freedom of Information Project Management Office (FOI PMO) successfully held the FOI Conference for Local Government Units (LGUs) - Mindanao leg last 5 November 2021 via Zoom.

The conference aimed to share the best practices of LGUs implementing their local FOI Program and to encourage more LGUs to follow suit and pass their own FOI ordinance.

Meanwhile, the Province of Surigao del Norte and the City of Pasig passed their FOI ordinances in 2018, the City of Isabela de Basilan in 2019, and the Province of Bukidnon in 2020.

### Importance of an FOI ordinance

This conference bolsters the Presidential Communications Operations Office's (PCOO) vision of a whole-of-government approach in terms of FOI Program implementation.

In 2018, the PCOO partnered with the Department of the Interior and Local Government (DILG) in the issuance of Joint Memorandum Circular (JMC) No. 2018-01 that encourages LGUs across the country to enact an FOI ordinance or executive order.

In his discussion of the FOI Program, PCOO Undersecretary and FOI Program Director Kristian Ablan pointed out that having an FOI ordinance boosts an LGU's competitiveness and facilitates better decision making.

"Through localizing the FOI Program, it serves you [LGUs] with a listening tool with what might your constituents need," Undersecretary Ablan said.

Another timely role for the passage of an FOI ordinance in LGUs is sought by the full devolution in 2022, brought by the Supreme Court ruling on the Mandanas-Garcia petition and Executive Order No. 138, series of 2021.

"With the full devolution to take place next year, the ruling clarifies the just share of LGUs from all national taxes to ensure fiscal decentralization... the more LGUs need an FOI ordinance to keep them transparent and accountable," Undersecretary Ablan emphasized.

### Putting forward best practices

The localized FOI Program, a reactive medium for information disclosure and implemented in the Executive branch, is one



of the components of the information cycle. Beyond the reactive medium of information disclosure, the invited LGUs have been doing proactive ways to disclose public information to their constituents.

“The Province of Surigao del Norte passed its FOI ordinance with the element of trust in play. When we trust, we surrender some aspect of managing [government] affairs and this necessitates full public disclosure and transparency in all the transactions whom the trust is reposed. Conversely, the trustor has every right to know on the affairs of the [local government] on matters common to every member of society: the right to information,” Atty. Premolito Plaza remarked.

Mr. Hansel Echavez presented the local chief executive’s, Governor Jose Maria R. Zubiri, Jr., personally handled radio program that serves as a medium that hears out and addresses citizens’ concerns.

Similarly, Mayor Sitti Djalía Turabin-Hataman hosts a radio show called *Usapang Babae that features public servants and civil society leaders and their contributions which uplift women’s voices in the community.*

Mayor Turabin-Hataman, in her first term as a local chief executive, created the City Information Office of the LGU. “We have been consistent in our belief that Information is both an empowering and enabling tool. It vests citizens with the will to exercise their democratic rights to effectively monitor and hold government into account and enter informed dialogue about decisions which shape their lives,” she exemplified.

The creation of *Ugnayan sa Pasig* is monumental for the administration of Mayor Victor Ma. Regis “Vico” Sotto of Pasig City. “*Ang Ugnayan sa Pasig*” is a one-stop shop for feedback, complaints, and FOI. Naging action word na nga ang Ugnayan para sa mga

*Pasigueño kapag mayroon silang gustong idulog sa LGU,” he shared.*

All four resource speakers have made it a point that social media greatly contributes to civic participation in governance.

## **Elevate FOI discourse**

The common denominator that Mayor Turabin-Hataman and Mayor Sotto agree on is working towards the institutionalization of FOI. This is achievable when the public often talks about it and eventually forms a discourse.

*“Mahalagang pinag-uusapan natin ang FOI so more people will know about it,” Mayor Sotto highlighted. He added that to light the match that ignites this discourse, the LGU must be open and enables access to information as FOI boils down to bringing government closer to its people.*

He further made two points about access to information: one, it keeps the LGU transparent and accountable, and two, information is actionable. “Na maging kapaki-pakinabang ang impormasyon sa ating mga tricycle driver o civil society organizations... ultimately mapalakas natin ang pakikilahok ng taumbayan,” Mayor Sotto stressed.

Mayor Turabin-Hataman said these conversations promote transparency and keeps the people abreast with various programs and services of the LGU. She underlined that by making sense of disclosed public information, FOI is made real in the community level.

The virtual conference was attended by more than 90 participants composed of officials and employees of various LGUs in the Mindanao region. Members of the media from regional information offices were also present.

# Knock, and the door shall be opened: The “No wrong door policy for FOI”

By Atty. Joseph Adrian Llamas



The mechanisms for the operationalization of the People’s Constitutional Right to Information is still relatively new in the Philippines, and a number of its citizens may not even be aware of the existence of such. Even with the growing number of requests for access to information, a cursory browse of the electronic Freedom of Information (eFOI) or [www.foi.gov.ph](http://www.foi.gov.ph) would show that most requesters may not know the difference between a request for access to information from a basic frontline service.

Aside from the need to familiarize oneself in the mechanisms of the FOI Program, another deterrent for a requestor may also be the need to know to which agency a request properly belongs. This, of course, is a daunting task, the sheer size of the bureaucracy alone making it a challenge and is enough to discourage many a citizen from trying to access information altogether. A brave few still try however, but they are often met with a denial of their request based solely on the fact that they lodged their request with the wrong agency, through no fault of their own.

The FOI-PMO, through the leadership of its FOI Program Director Undersecretary Kris Ablan, believes that the sheer number of denied requests due to it being lodged with the wrong agency is contrary to the spirit of Executive Order (EO) No. 2 (s. 2016), which operationalized the people’s right to information in the Executive Branch. EO No. 2 was issued in line with, and “in order to ensure the policy of the President to have an open, transparent and accountable government.” The FOI-PMO therefore

believes that the burden of identifying the proper agency should not be wholly left to the citizen; a part thereof should be shouldered by the government, and properly so, in line with providing better public service.

The PCOO, through the FOI-PMO, by virtue of its mandate “to develop programs and mechanism to ensure compliance with the FOI program, particularly on addressing the issue regarding the referral of any requested information, official record/s, or public record/s to the appropriate government agency,” promulgated FOI MC No. 21-5, otherwise known as the “No Wrong Door Policy for FOI.” It sets the guidelines for the referral of any requested information “to the appropriate government agency by another agency which does not have in its possession or custody the requested information or records, or is not authorized to release the information to the public.”

Although not wholly removing denial based upon the fact that a request was lodged with the wrong agency, the memorandum circular sets, as a general rule, that “all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.”

Referral to the appropriate government agency, as used in the memorandum circular, “shall mean that another government office is the proper

repository or custodian of the requested information or records, or have control over the said information or records.” In order to set the concern of some agencies that the “No Wrong Door” Policy may be taken to mean as an “Any Door” Policy, that is, that requestors would simply lodge any request with any and all agency, referrals under the memorandum circular “shall only be limited to two (2) subsequent transfers of request.”

FOI MC No. 21-5 was issued not only for the benefit of the citizenry, but for the convenience of all FROs and FDMs as well. The memorandum circular tasked the FOI-PMO “create a “FOI Internal Messenger.” Such feature shall be included in the dashboards of FROs and FDMs, located at the eFOI portal or [www.foi.gov.ph](http://www.foi.gov.ph), where all FROs and FDMs can ask or confirm with each other on which agency has the control and custody of any information or record being requested.” The FOI-PMO shall likewise act as the central repository of the inventory, and compile an Agency Information Inventory (AII) which shall be updated annually, and “shall likewise be made available in the dashboard of the FRO and FDM for ease of access and information.”

With a referral system for requests in place, it is the hope of the FOI-PMO that such will aid in better operationalizing the People’s Constitutional Right to Information, but would also, and equally importantly, address “the need to break the prevailing “silo system” and lack of interconnection among government agencies, with the end goal of a government acting as a singular unit serving its primary client, its citizens”.





## FOI conducts the first Civil Society Organizations Hangouts for the Indigenous Peoples, Persons with Disabilities, and Senior Citizens Sector

By Jaya Illustrisimo

The Freedom of Information – Project Management Office (FOI-PMO) conducted its first ever Civil Society Organizations (CSO) Hangouts for Indigenous Peoples, Persons with Disabilities, and Senior Citizens, with the theme “Eliminating Barriers, Challenging Norms through Access to Information” last 12 November 2021 via StreamYard.

The CSO Hangouts is the second installment of the series that seek to reach the grassroots sector of society and help them connect with the government. Present during this online event were speakers and attendees from the National Commission on Indigenous People (NCIP), National Council on Disability Affairs (NCDA), and National Council of Senior Citizens (NCSC). The online event was conducted in partnership with the Commission on Human Rights and the Philippine Registry of Interpreters for the Deaf (PRID).

The event introduced the people’s right to government information through the discussion of Executive Order No. 2, s. 2016 and a walkthrough of the Electronic FOI (eFOI) Portal. The NCIP, NCDA, and NCSC was also able to share

the accomplishments, challenges, and ways forward of their respective agencies. Their advocacy of promoting the basic welfare, and the protection of the rights, of all indigenous people, persons with disability, and senior citizens, were also some of the topics discussed during the event. The rest of the program was allotted to the participants to ask questions and/or share their sentiments.

In his welcome remarks, FOI Program Director and Undersecretary Kristian Ablan encouraged the participants to exercise their right to information, and increase their civic participation through FOI. *“It has been known that FOI is a valuable connector between the people and the government; all the more it is important to our underprivileged and marginalized sector. It serves as a tool of the powerless, weak, and marginalized because it is requestor-blind,”* he said.

The CSO Hangouts was attended by one hundred participants via StreamYard and was broadcast live through Facebook.



### What’s new with the FOI-PBB requirements?

For 2022, the Freedom of Information Project Management Office (FOI-PMO) has additional requirements for agencies under the Executive branch. The agencies are to submit the following requirements alongside FOI Manual, FOI Reports, One-page FOI Manual, and FOI logo linked to FOI website:

1. Accomplished Assessing Information Disclosure (AID FOI) Tool and;
2. FOI logo linked to the e-FOI portal request page of the agency

### How to submit the FOI requirements?

All agencies under the Executive Branch – National Government Agencies (NGAs), Government-owned and Controlled Corporations (GOCCs), State Universities and Colleges (SUCs), and Local Water Districts (LWDs), shall accomplish the validation form through the link [bit.ly/2021FOIPBB](https://bit.ly/2021FOIPBB) on or before 28 January 2022.

The AID FOI Tool can be accessed and downloaded via the link [bit.ly/2021AIDFOITool](https://bit.ly/2021AIDFOITool).

# About The Cover

During the 2021 FOI Awards held in Radisson Blu Hotel, Cebu City last 25 November 2021, FOI Philippines conferred the FOI Champion Awards and Recognitions to honor and recognize the agencies, organizations, and individuals' contribution in our collective pursuit of ensuring the constitutional mandate of the right to information.



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