



VOLUME 2 | ISSUE 1 | MARCH 2022

UMALOHOKAN

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





UPDATES ON FOI BILL

By Jaya V. Illustrisimo

A courtesy visit to the office of the House Speaker Lord Allan Velasco was conducted in order to seek endorsement from the same for the fast tracking and if possible, the immediate passage of the agency's priority legislative measures which include the Media Workers Welfare Bill, People's Broadcasting Corporation (PBC) Bill, and Freedom of Information (FOI) Bill on February 2, 2022.

The Presidential Communications Operations Office (PCOO) Secretary Jose Ruperto Martin Andanar, together with FOI Program Director and PCOO Undersecretary Kristian R. Ablan, personally went to the House of Representatives.

The FOI Bills specifically House Bill No. 5776 authored by Quezon City 5th District Representative Alfred Vargas as the draft substitute, is awaiting approval for first reading in the House of Representatives. The House Committee on Public Information, under the Chairmanship of Representative Joseph "Jojo" L. Lara, has yet to submit its committee report.



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FOI RECEIVES 350 VALIDATION REQUESTS FOR FY 2021 PBB

By Maria Edralyn B. Amor

Three hundred fifty (350) or thirty-eight percent (38%) of government agencies under the Executive Branch have submitted their request for validation for their Freedom of Information Performance-Based Bonus (FOI-PBB) FY 2021 on February 15, 2022.

Of the 350 agencies that have submitted, 146 are National Government Agencies (NGAs), 57 are Government-Owned and/or Controlled Corporations (GOCCs), 54 are State Universities and Colleges (SUCs), and 93 are Local Water Districts (LWDs).

Through the joint initiatives of the Department of Budget and Management (DBM) and the Presidential Communications Operations Office (PCOO), the FOI Program Requirements include posting of signed Agency FOI Manual, One-Page FOI Manual, and FOI Reports under the Transparency Seal of an agency; posting of the FOI Logo in an agency's homepage, directly linked to the agency's eFOI dashboard; and accomplishing the Assessing Information Disclosure Practices for FOI Compliance (AID-FOI).

In 2021, forty-four percent (44%) of the government agencies under the Executive Branch submitted a request for validation.

In the meantime, agencies may check their compliance status through the Compliance Status Tracker, which can be accessed through the link bit.ly/FOICompTracker.



TO CONTINUITY AND BEYOND

By Dianne M. Gammad

The Department of Budget and Management (DBM) has approved the extension and changed the status of the Freedom of Information - Project Management Office (FOI-PMO) from “coterminous to the administration” to “coterminous to the program,” in order to ensure continuity of the various programs and activities laid out by the FOI-PMO. This move seeks to ensure that the FOI Program agencies and other stakeholders will receive continued and unfaltering support even after the Duterte Administration.

Signed in July 2016, the Executive Order (EO) No. 2, s. 2016 serve as the enabling regulation for the implementation of the program. Through the Order, the State implements the state policies of full disclosure and transparency in the public service. It further promotes the exercise of the right of the citizens to access public information. With FOI, the citizens are empowered to demand information from government agencies and know more about every governmental activity, projects, and programs. With FOI, the agencies should be more open and more transparent.

However, while such is the aim of the program, its coverage is limited only to agencies under the Executive Branch. It only covers National Government Agencies (NGAs), Government-Owned and/or Controlled Corporations (GOCCs), State Colleges and Universities (SUCs), and Local Water Districts (LWDs). The program is yet to cover the Judiciary and Legislative Branch of the government. Also, its status as an executive order limits its power over other agencies such as constitutional commissions.

With these bottlenecks, the program needs sustainability to ensure its continuous implementation. It needs to be institutionalized so that citizens can continue to demand and exercise their right to access public information.

The change in status of the FOI-PMO is in line with its long-term goal of institutionalizing the right to information in the government: It can do so only if the FOI Program is sustained through various efforts in developing and innovating programs and activities centered on the promotion of efficient transactions and quality service.

Capacity development activities are planned for the year 2022 in order to further capacitate FOI stakeholders and partners. This year's activities include the following: FOI Boot Camp, a capacity-building program for FOI Officers; FOI Youth Ambassador, a program for students at State Universities and Colleges (SUCs); and other stakeholder engagements such as Transparency Caravan, Civil Society Organization Hangouts, BRGY. FOI, Library Workshop, FOCS, etc.

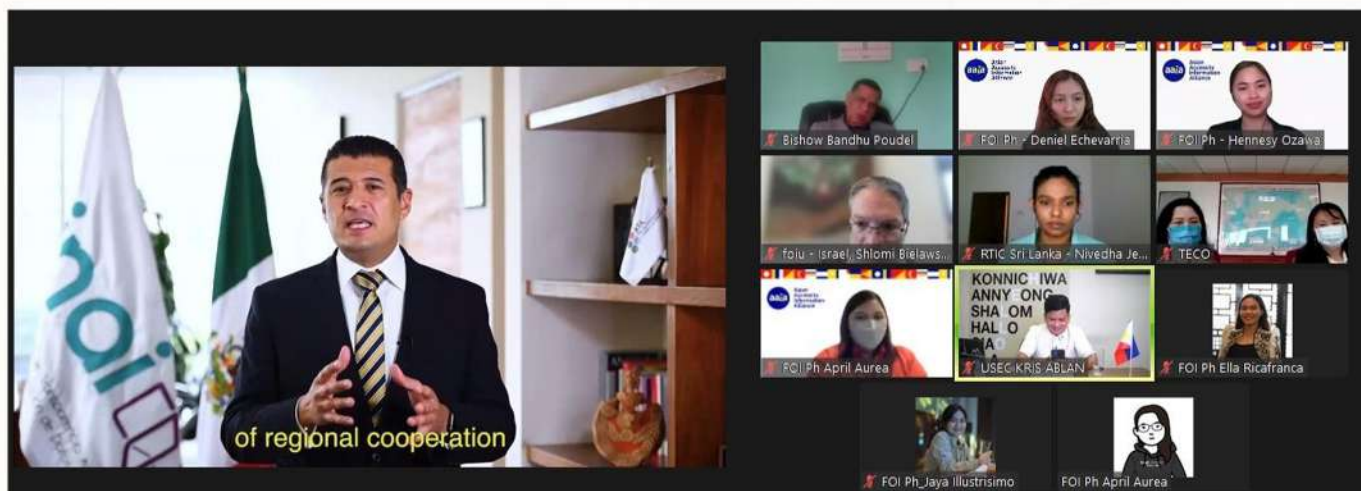
In addition, the FOI-PMO is also keen in capacitating and enhancing the skills and knowledge of its personnel in order to efficiently deliver and implement various programs on policy and program development, monitoring and evaluation, capacity building, and communications.

In line with these targets, the office eyes to conduct an international study visit to Australia set on the second quarter of the year to learn the Australian experience in implementing the Right to Information and transparency best practices, innovations, and frameworks which may be replicated in the Philippines through the FOI-PMO.

Through these efforts, the public, especially the FOI stakeholders, are assured of a step closer towards the goal of a transparent and accountable government.

1ST AAIA INITIAL CONVENTION KICKS OFF!

By Jaya V. Illustrisimo



The Freedom of Information – Project Management Office (FOI-PMO) successfully conducted the first Asian Access to Information Alliance (AAIA) Initial Convention on 28 January 2022 via Zoom Teleconference.

The AAIA, through the leadership and direction of the Presidential Communications Operations Office (PCOO) Undersecretary and FOI Program Director Kristian R. Ablan, aims to establish an alliance of cooperation with and among the Asian countries to fortify the FOI implementation and to learn from participating countries' best practices, initiatives, and policy formulation.

During the online event, Usec. Ablan reiterated the importance of having an alliance in the Asian continent that believes and pushes for one shared goal, "We initiated exchange of information of an Asian Access to Information Alliance (AAIA) so that countries in our region with an FOI law or policy can

leverage on the collection of knowledge, experiences, and guiding principles that each has in administering access to information through mutual cooperation and an open exchange of information."

Commissioner Adrian Alcala of the National Institute for Transparency, Access to Information, and Personal Data Protection (INAI) of Mexico expressed his support in the formation of the alliance in his closing remarks, asserting that multilateral cooperation is vital and crucial to undertakings globally and it has become an invaluable instrument not only to mitigate the impacts of the challenges we currently face as a society, as a result of the pandemic, but also because it builds and consolidates institutions capable of promoting more sustainable, inclusive, fair, equitable, and resilient democracies.

KA-FOI, KA-SOSYO:

VOTE PILIPINAS AND FOI-PMO TEAM UP TO LAUNCH CANDIDATE PROFILE DASHBOARD

By Marinella R. Ricafranca

The FOI-PMO, through its Strategic Partnerships Unit, collaborated with Vote Pilipinas on the creation and launching of the Candidate Profile Dashboard.

The Candidate Profile Dashboard aims to provide citizens with accessible, factual, and reliable information on the qualifications, track records, and campaign pledges of candidates running for office, allowing them to make an informed and sound decision about who to vote for.

To ensure the accuracy and fairness of records, the FOI-PMO assisted the organization by enabling the request for the

Statement of Assets, Liabilities, and Net Worth (SALN) and Personal Data Sheet (PDS) of selected election candidates from the respective repository agencies within the Executive Branch. It is scheduled to go public in the first quarter of 2022.

Vote Pilipinas is the Commission on Elections' (COMELEC) official information campaign partner.

This partnership is concurrent with FOI-PMO's ongoing efforts to make the FOI Program an important election tool.

WALANG FOREVER:

THE RETENTION PERIOD OF PERSONAL INFORMATION AND SENSITIVE PERSONAL INFORMATION OF REQUESTING PARTIES

By Atty. Joseph Adrian B. Llames

Nothing lasts forever, more so for the creations of man. Some fade away due to human intervention; others by authority of law.

We live in an era where privacy is given premium more than ever. The digital age has given birth to popular catchphrases such as “data is the new oil,” and “information is the new gold,” the “currency” whereby we are able to make use of “free” services such as social media like Facebook, and other online platforms, such as the e-FOI Portal.

The e-FOI Portal requires for its user the creation of an account, which would necessarily contain personal information that can be used to identify a person. In the same vein, Executive Order (EO) No. 2, series of 2016, the basis of the current FOI Program, requires that a written request for access to information be accompanied with a

valid proof of identification. The order further provides, under Section 7 thereof, on “Protection of Privacy”, that responding officer shall afford full protection of the right to privacy of the individual. Therefore, EO No. 2 (s. 2016) shall be implemented taking into consideration the relevant provisions of Republic Act (RA) No. 10173, or the Data Privacy Act of 2012.

RA 10173 seeks to “strengthen the fundamental human right of privacy, and of communication while ensuring the free flow of information to promote innovation and growth.” Under Sec. 11 of the law, following “General Data Privacy Principles,” personal information must be “[r]etained only for as long as necessary for the fulfillment of the purposes for which the data was obtained.” In addition, the National Privacy Commission (NPC), through its Advisory Opinion No. 2017-24, provided that “an organization may develop and maintain its own records management policy which provide for retention periods and procedures for disposal if records containing personal data.”

In order to abide with RA 10173, and the relevant issuances of the NPC, the FOI-PMO issued FOI-MC No. 21-03 to establish a retention period of two (2) years for personal data gathered through the standard or paper-based FOI, or through the e-FOI Portal. The two-year retention period is in turn based upon the National Archives of the Philippines (NAP) General Circular No. 2, issued to provide “Guidelines on the Disposal of Valueless Records in Government Agencies.” Under the “General Records Disposition Schedule” of the circular, the authorized retention period for “inquiries” shall be “2 years after acted upon.”

Under FOI-MC No. 21-03, for requests made through the standard FOI, the reckoning period for the two-year period shall be from the time a transaction has been closed, whether the request has been marked “successful” or “denied.” For requests made through the e-FOI Portal, the reckoning period shall be from the last login of the requesting party. In the disposal of personal data, Sec. 5 of the memorandum circular provides that such data shall be disposed of “in a secure manner that shall prevent further processing, unauthorized access, or disclosure to any other party,” to the prejudice of the requesting party, such as through redaction, shredding, burning, pulping, or any other means to ensure that it is impossible to reconstruct the information.

With this issuance in place, it is hoped that even as we provide access to information, official records, and public records, agencies who store and process personal data pursuant to requests for access be still bound to observe and respect data privacy rights.



INAI Mexico: Of tacos and of transparency

By Patricia Marri O. Maranan



The Freedom of Information – Project Management Office (FOI-PMO) promotes and encourages the right of the Filipino people to access government information. The Program has worked tirelessly to maximize learning exchanges and opportunities for the program's growth, paving the way for the country's future FOI law.

Despite the challenges brought upon by the COVID-19 pandemic, the organization remained determined to seize opportunities for learning exchanges to strengthen the FOI program.

The FOI-PMO conducted a study visit to the National Institute for Transparency, Access to Information, and Personal Data Protection (INAI) and the Institute for Transparency, Access to Public Information, Personal Data Protection, and Accountability of Mexico City (Info CDMX) in Mexico City, Mexico on December 6-10, 2021.

The weeklong technical cooperation visit allowed the delegates to study Mexican legislation on transparency, access to public information, and protection of personal data and its implementation.

It was an exciting experience and of course, we were also very excited to try one of the most coveted comfort foods in its truest form, the tacos, but boy were we in for a ride. An authentic taco is enveloped with its soft corn tortilla shell, wrapped in between its slow-cooked carnitas, and generously topped with fresh tomatoes, onions, and a good amount of Oaxaca cheese. This was a fresh take from what our usual taco would look and taste like. Same with INAI and Info CDMX, we were also given a lot of fresh perspectives and learnings to digest that we can also share and adopt.

INAI's Organizational Composition vis-à-vis FOI-PMO's



Compared to the organizational structure of the FOI-PMO, headed by a Program Director with forty (40) personnel, the INAI is composed of seven (7) Commissioners and five (5) Secretariats and more than seven hundred (700) technical and administrative staff supporting the Commission.

Mexico has established a Transparency Committee to promote and implement the access to information. Meanwhile, in the Philippines, each government agency under the Executive Branch has assigned its respective Receiving Officers and Decision Makers to promote and respond to the needs of the public with regard to government information.

Additionally, almost all information requested from the government of Mexico can be accessed through its National Transparency Platform. Such can also be done with the eFOI portal currently used as a platform to lodge FOI requests.

Despite the stark difference in the size of the implementing offices and having a small implementing office, the FOI-PMO together with its FOI Officers were able to process a total of 99,794 e-FOI requests and 53,209 standard/paper-based requests.





Types of Disclosure

What sets Mexico apart from the Philippines is the inclusion of “Active Disclosure” to its citizens, this means that the government is bound to actively and continuously disclose and release information on its platforms.

Type of Disclosure	Philippines	Mexico
Disclosure	✓	✓
Active	X	✓
Reactive	✓	✓

Adopting Mexico’s Best Practices

Taking inspiration from the practices of Mexico, the FOI-PMO may adopt some of the identified best practices to strengthen its implementation of the right to access public information, such as:

1. LOCALIZATION OF THE REQUESTED INFORMATION (INDICATED BY THE REQUESTING PARTY) wherein the requestor can request to which language the information will be released, it could be as specific as to their indigenous language. This is a way of ensuring that information can be understood by anyone.

2. ANONYMITY by giving the requestors the power to use pen names or pseudo names in making requests. The rationale is to encourage the citizens to make requests with the protection of being anonymous.

3. USER-FRIENDLY INTERFACE by making sure that websites are equipped and are Web accessibility-ready that conforms according to the World Wide Web Consortium (W3C) so that people with disabilities would be able to perceive, understand, navigate, interact with, and contribute to their website.

4. YOUTH ORIENTED they bring access to information closer to the youth, by creating specific programs that would cater to them. One of the examples for this, is they wrote storybooks about access to information that would help the youth understand the importance of having a transparent society.

The FOI-PMO believes in continuous learning and gathering of experiences from international information institutes in administering and implementing access to information initiatives in order to reinforce the promotion and implementation of the people’s right to access government information.



IN FOCUS: FOI-PMO AND DAP IMPLEMENT CERTIFICATE COURSE

By Marinella R. Ricafranca



Gloria De La Fuente Gonzales

President, Consejo para la Transparencia
Republic of Chile



Daren Fitzhenry

Commissioner, Office of the
Scottish Information Commissioner



Toby Mendel

Executive Director
Centre for Law and Democracy

In order to comprehensively advance and promote the agenda of continuous growth and development of FOI Officers, as well as skillfully balance the exercise of access to information alongside other rights, the Freedom of Information - Project Management Office (FOI-PMO) established a partnership with the Development Academy of the Philippines (DAP) and co-created and implemented a Certificate Course for Information Officers.

The Certificate Course for Information Officers aims to expand the capability of FOI/Information Officers in the Executive Branch of the government and ensure that they are equipped with the skills, tools, and knowledge necessary to operationalize the FOI program in their respective agencies. This is crucial to the public sector's realization to shift to a culture of transparency, thereby facilitating greater citizen participation and more accountable governance.

Through virtual classes, policy proposal workshops, and webinars, this course teaches the fundamental concepts, principles, and theories underlying FOI practice, data privacy, records management, and classified information protection. To effectively teach these lessons, DAP and FOI-PMO sought the assistance and expertise of subject matter experts (SMEs) from the National Archives of the Philippines (NAP), the National Intelligence Coordinating Agency (NICA), and the National Privacy Commission (NPC).

It was also worth mentioning that on 31 January 2022, DAP and FOI-PMO successfully conducted a webinar entitled, "Challenges and Best Practices on the Legislation and Operationalization of FOI," which served as an effective source of additional information and an enjoyable culmination of what the scholars have learned thus far. The resource speakers were Scottish Information Commissioner Daren Fitzhenry, and Centre for Law and Democracy's (CLD) Executive Director, Toby Mendel. They expertly delivered discussions concerning FOI as a human right, as well as gave an international perspective on the challenges and best practices in enforcing FOI.

The first batch of forty-five (45) students graduated on 24 February 2022, while the second batch began their first week of classes in March 2022.

The course is intended for the 200 permanent or plantilla FOI Officers from national government agencies (NGAs), government-owned and controlled corporations (GOCCs), state universities and colleges (SUCs), local water districts (LWDs), local government units (LGUs), and law enforcement agencies.

The course is set to run until the end of the year, thus will cater to the remaining one hundred and fifty-five (155) enrollees.



INFO AT YOUR SERVICE

By Armand Frederick V. Gatpayat

Have you experienced losing or having your phone stolen?

The National Telecommunications Commission's Consumer Welfare and Protection division can have your misplaced phone blocked.

You must prepare three documents for the process. The first essential document is your phone's IMEI, which may be located on the box of your cellphone (should this document be lost as well, a copy of the official receipt of the mobile phone will suffice). The second requirement is a legally completed and notarized Affidavit of Ownership and Loss (available on the NTC website: ntc.gov.ph) and, finally, a copy of two valid IDs, one of which must be government-issued.

These documents can be submitted physically through their office or via email at consumer@ntc.gov.ph.

For further clarifications, you may call NTC's Consumer Welfare and Protection Division through these numbers: 8-9213251 and 8-9267722.

Do you need documents from the Philippine Statistic Authority?

In response to the challenges brought about by the pandemic, the Philippines Statistics Authority established PSA SERBILIS, a website where the public can request their PSA documents online. It's a one-stop shop where you can fill out a form, pay via approved online payment channels, and wait for your order to be delivered.

You no longer need to travel to the PSA offices; instead, you can request these documents from the comfort of your own home. Birth certificates, marriage certificates, death certificates, and certificates of no marriage record are among the documents that can be obtained through SERBILIS. For additional information, visit www.psaserbilis.com.ph.

What support can the Employees Compensation Commission offer COVID-19 positive employees?

If you are an employee who unfortunately contracted Covid-19 because of your job, you may be eligible for employee compensation monetary assistance.

To apply for this cash assistance, go to your nearest Social Security System (SSS) branch (for private sector) or Government Service Insurance System (GSIS) branch (for government employees) and submit a certificate of employment, RTPCR or swab test results (positive), medical certificate or home quarantine clearance, and valid IDs. To file an EC illness claim, all you have to do is bring these documents to ECC's office, along with the Cash Assistance Form, which is available at ECC's branch offices.

For more information, please visit ECC's Facebook page: www.facebook.com/ecc.official/

National ID is now a reality!

In order for more citizens to experience simpler public and private transactions where valid proof of identity is required, the Philippine Government has initiated the creation of the National ID. To make things convenient for its citizens, anyone can obtain a National ID in just three easy steps.

1. The applicant must register at www.register.philsys.gov.ph.
2. After registering, schedule an appointment for biometrics, fingerprints, and for picture taking.
3. Simply wait for the delivery of your National ID where you will be able to receive your very own Personal Serial Number (PSN), as well as a 16-digit PhilSys Card Number (PCN).

F.Y.I. CORNER

By Armand Frederick V. Gatpayat

For Your Information or FYI is FOI-PMO's public service television program that keeps Filipino citizens up to date on the latest government projects, policies, and programs. It highlights various government agencies and programs, as well as the services available to our citizens. The T.V. Show releases a new episode every Sunday at 8:30 pm to 9:00 pm in IBC 13.

Here are the highlights of our previous FYI episodes:



January 2, 2022: Philippine Army Reserve Command (ARESCOM): MGEN. Fernando V. Felipe discussed that ARESKOM is the primary support command of the Philippine navy. He also explained the programs and functions of ARESKOM.



January 9, 2022: Philippine Information Agency: Director General of PIA, Usec. Ramon Cualoping discussed the functions of the Philippine Information Agency. He explained that the PIA functions as the "content creators" wherein offices part of the Presidential Communications Operations Office source content. He also discussed the up-and-coming projects of the PIA that are intended to help further streamline communications in government.



January 16, 2022: News and Information Bureau: Director Virginia Arcilla-Agtay of the News and Information Bureau discussed the mandate of her office as well as its functions. One key role of the NIB is assisting foreign and local media accreditations.



January 23, 2022: National Book Development Board: Featuring Executive Director Charisse Aquino-Tugade, the episode discussed the works of NBD which includes training for writing, editing, copywriting, publishing and even translating. ED Tugade mentioned that there is a lack of appreciation and book development in the Philippines, her office intends to change that notion and provide more opportunities for writers to "expand their horizons".



January 30, 2022: National Economic Development Authority: Represented by Assistant Secretary Carlos Bernardo Abad – Santos he discussed the role of his agency in the government. NEDA is a signing agency of the government tasked in the formulation of development planning as well as policy advising and even investment programming. NEDA studies and research on upcoming policies. They also review and evaluate projects of government agencies, recommending which proposed projects are actually viable and realistic.



February 13, 2022: National Housing Authority: Corporate Planning Chief, Antonio Mercader explained NHA's mandate on housing production, relocation and resettlement. He also discussed the different programs that are headed by NHA such as the Resettlement Program, settlements upgrading program and government employees housing program. Mr. Mercader also discussed the process of application for these NHA Programs mentioned.



February 20, 2022: Employee Compensation Commission: Deputy Executive Director. Atty. Jonathan T. Villasotto, in this episode, explained how ECC helps employees who experience incidents because of their work, can claim compensation. Citizens can visit the ECC website to know the process of claiming the different compensation programs through ECC.



February 27, 2022: Philippine Judicial Academy: PhilJA is an office attached to the Supreme Court that provides training for employees in the Judiciary Branch. PhilJA representative, General Manager Romulo Abancio Jr. discussed the various training, as well as other services the office provides.



FOI SA RADYO CORNER

By Armand Frederick V. Gatpayat

FOI sa Radyo is another initiative by the Freedom of Information-Project Management Office to further capacitate the public about the different programs of the government. Scheduled every Friday 6:00 to 7:00 PM on Radyo Pilipinas 738. Also accessible via livestream on FOI Philippines Facebook Page.



January 7, 2022: FOI sa Radyo began the year with an interview with Col. Ramon P. Zagala, Spokesperson for the Armed Forces of the Philippines. In the interview, he explained the AFP's mandate and how his organization responded to the COVID-19 pandemic.

January 14, 2022: The following week, FSR interviewed Atty. Gregorio Ofalsa of the Energy Regulatory Commission where he discussed how his office is assisting in the regulation of electricity costs as a result of the pandemic. He also discussed how the energy industry is facing competition, particularly in the various regions of the Philippines.



January 21, 2022: The third episode of FOI sa Radyo this year was the launching of FSR 3.0 where it was the first time that the program featured a guest in the studio. FSR's distinguished guest for this episode was Paranaque SK Chairman Kelly Dallas. She is a graduate of AB Communication Arts at St. Paul University Manila and is currently taking Master's in Public Administration at Olivarez College. SK Chairman Kelly is also a Kagawad of Barangay Tambo. In the interview, she discussed the initiatives her council did in response to the Covid 19 pandemic. The projects she mentioned were educational assistance, health items distribution and even bike distribution to assist and help individuals whose commute was compromised due to the lockdowns.

February 4, 2022: The first February episode featured MMDA Operations Chief Bong Nebrija. The MMDA Operations Chief, took the episode as an opportunity to clarify and discuss the "No Vax No Ride Policy". He clarified that this policy was implemented to prevent further spread and mutation of the new "Omicron Covid-19 Variant" in Metro Manila. The MMDA has also been also the key agency in the provision of transport for non-vaccinated individuals to the vaccination centers free-of-charge.



February 11, 2022: On the episode preceding Valentine's Day, FSR interviewed Atty. Franklin Quijano of the National Senior Citizens Commission. He discussed how the newly established commission has provided opportunities for the elderly to contribute to nation-building through programs such as knowledge sharing. The commission also served as a beacon of hope for senior citizens, who now have a voice.

February 18, 2022: The latest episode of FSR featured Director James Jimenez of the Commission on Elections. He discussed the new rules and operations of the elections in response to the "new normal." Dir. James mentions that the 2022 Commission on Elections has already printed 90 million ballots as of February 18, 2022. The dismantling of prohibited campaign materials or Operation "Baklas" with the exception of posted campaign materials on private property is already on-going as well.



About The Cover

Barangay FOI is an initiative of FOI Philippines to promote the people's right to access public information at the Barangay level to build on their capacities to use access to information platforms, and to engage with their national and local governments. This activity is conducted in collaboration with the City Government of Lamitan, Basilan on March 24, 2022.



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