The right to seek information comprises of the right of individuals to access general information and, more particularly, information of public interest that can contribute to public debate.

The right to receive information implies not only that public bodies respond to requests for information but also that the government itself proactively publishes and widely disseminates information of significant public interest.

The right to impart information includes the right to share and disseminate information.
The Constitution of the Kingdom of Cambodia ("the Constitution")

The International Covenant on Civil and Political Rights ("ICCPR")

The Universal Declaration of Human Rights ("UDHR")

**Legal Framework for the Right on Access to Information**

**State’s Obligation on Access to Information**

To give effect to the right of access to information under Article 19 of the ICCPR, State parties should proactively put in the public domain government information of public interest and ensure easy, prompt, effective, and practical access to such information.

Public institutions, under Articles 8 and 9 of the draft Law on Access to Information, shall perform the following obligations to facilitate access to information:

1. Create an information unit within each governmental institution, both at the national and sub-national level;

2. Train officers in charge of information in a professional capacity on the right to access to information;

3. Encourage specialized units under the institution itself to cooperate and take responsibility to the search and provide the information to those who request it;

4. Assist all persons who seek information; and

5. Provide all requested information to the public.
There are three elements that access to information permissibility of a restriction:

- **Legality**: is the restriction provided by law?
- **Legitimacy**: is the restriction justified to protect a legitimate interest, namely (1) the respect of the rights or reputations of others; or (2) the protection of national security or of public order or of public health or morals?
- **Necessity**: is the restriction necessary to achieve the legitimate aim identified under legitimacy?

Citizens can request access to information including:

- Organization and functioning of all public institutions;
- Public institutions’ development plan of infrastructures and all sectors;
- Detailed information about services mechanisms;
- Laws, regulations, policies, decisions, and duties of public institutions relating to rights, freedoms, obligations, and public interests;
- All aspects of public institutions functioning and procedures at courts, including administrative affairs, which are of the interest of and have direct connection with the public; and
- Annual budget plan of the institution approved by the legislature and its annual expenditure and audit reports.
Access to information enables all citizens to know the following:

- How the decisions that affect them are made;
- How public funds are handled and according to which criteria institutions act;
- It also enables civil society organizations to acquire the information necessary to develop effective programs and strategies, and to effectively perform their role as watchdogs;
- Helps individuals make informed decisions based on the correct data – a necessary condition to combat corruption and mismanagement of public funds;
- Helps individuals make informed decisions based on the correct data – a necessary condition to combat corruption and mismanagement of public funds;
- Most importantly, it is necessary to detect violations of citizens’ rights and establishes and supports the democratic and participatory practice of governance.