

**Day 4 – Thursday, 29 November 2007**  
**Parallel Sessions – Session 3D 11.00am-12.30pm**

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Position: Counsellor

Organisation: Mexican State Institute for Transparency and Access to Information, Mexico

Presentation Title: The impact on the Mexican Republic states, and especially on the state of Mexico, of the amendment to article six of the Constitution

The access to public information in México has highly developed and advanced in a fast pace, because people are requiring more sophisticated information every day. All the same, the so called State sovereignty has been misunderstood in such a way that, when transferred to the State field, the right to access public information stops being a fundamental universal right, and becomes a matter subjected to regional interests. In my country, the State laws regarding access to information are so uneven or different, that we find classified information catalogues of all kinds, which for instance in certain States, keep a public servant's salary as confidential. That is why The Federal House of Representatives, The Senate, and State Congresses, have approved and passed an amendment to Article Six of The Mexican Constitution, in order to standardize access to public information in the country, establishing a minimum of openness or policies of open government, and a maximum of classified information, as well as allowing access to public information via electronic media. The State of México has passed a Law much alike the Federal one, and thus, in a pragmatic objective sense it is subject to improvement, but still in a general way it is a good one. The Institute for Open Government and Access to Public Information of The State of México, has its own system which is equivalent to SISI, but with higher security and safety standards called SICOSIEM, through which any person either Mexican or a foreigner, can request information about The State of México, a region which is considered the most important in the country, for having the highest Gross Domestic Product (PBI) and the largest population with almost fifteen million inhabitants. Therefore, I invite you to visit this later system and request information through the SICOSIEM window on the web site page [www.itaipiem.org.mx](http://www.itaipiem.org.mx).

Without deflecting me from the subject at hand, the Amendment to The Federal Constitution will allow access to information to get closer to the democratic concept we all want, even though, of course, we need that State Public Servants assimilate the culture of Openness, and that the guarantor Institutions or Organizations should be invested with more supervision, surveillance, sanctions and penalties powers. The impact this way, is positive, for the fundamental rights can not be some in a certain determined place, and different in another place; they cannot be limited or have boundaries of some nature in a jurisdictional matter's scope, and of other nature in another. The above mentioned Amendment entails these types of advantages. In accordance with the same, issued and published on July 20, 2007, The State Members of The Federation, have a time period of one year beginning on that date, to make amendments and adjustments to their State and local Constitutions and applicable Laws. The State of México is already working on these subject matters, in order to comply accordingly, although it is very little what has to be amended; due to all what has been explained above regarding the Constitution and State Laws, they are very close to, and are much alike the primary and secondary federal legal bodies.

Would it be more practical to have a unique Law applicable throughout the national territory, with State Guarantor Organizations enforcing and applying it?