

COPYING SIX FILES COSTS MORE THAN A MERCEDES BENZ

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A crude way to deny the right to information is to raise the cost of copies to the point that they are unaffordable. That is what happened with an information request to the National Human Rights Commission (CNDH in Spanish) on April 26, 2006, in which the petitioner was asking for, among other documents, a simple copy of six complaint files, consisting of 6,229 pages (File #2006/36-T).

The CNDH was obligated to make these copies according to its own internal regulations, since the complaints were about serious violations. Later, however, it argued that, before turning over the material, it should be, “photocopied, analyzed, compared and screened, given the obligation to protect personal data.” This, it turned out, would require, “the necessary human and material resources from the Public Agency.”

Based on this argument, the CNDH determined that the appropriate cost of this endeavor was not that of simple copies, as requested (50 cents per copy), but that pertaining to “certifications” or “documented evidence”. That rate is 93 pesos per page, which totaled \$579,297 pesos in this case!

After exhausting legal options, the petitioner had no choice but to file suit to stay the case. The stay was granted, but the CNDH fought it on legal grounds, dragging out the definitive resolution of the case for more months.