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RIGHT TO INFORMATION

Key to Sustainable Development Goals (SDG)



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As we surprised the world with our MDG achievements, we are committed to lead by example again in the case of SDGs,” said Bangladesh Prime Minister Sheikh Hasina at a gathering on the sidelines of the UN General Assembly session in October 2015. It was at that session that 193 member states of the UN and the global civil society adopted the 17 Sustainable Development Goals (SDG) to be achieved by 2030.

One of those goals includes: ensuring public access to all government-held information. In Bangladesh that has already been given a legal basis through adoption of the Right to Information Act 2009. In fact, both SDG and RTI are in sharp focus in contemporary development discourse.

RTI, also known as, Freedom of Information (FOI), has emerged as the fastest growing legislation globally in the last quarter of a century. Before 1990, only 13 countries had RTI/FOI Acts. The number has jumped to 113 now. The importance of RTI for human rights and good governance is now undisputed. Its inclusion, therefore, in SDGs was a logical culmination of that process.

Bangladesh's commitment to SDGs: Following its remarkable success with MDGs, it was natural that Bangladesh will embrace the SDGs with great enthusiasm. It quickly set up an inter-ministerial committee on SDG implementation and monitoring to develop a unified approach. A citizens' platform for co-ordination of civil society efforts was also formed. A great deal of expectation has thus been created for Bangladesh to play a leading role in implementing SDGs.

SDG Goals: The 17 SDGs include: ending poverty, ending hunger, ensuring health and well-being, ensuring inclusive and equitable education for all ages, achieving gender equity, ensuring clean water and sanitation,

clean energy, decent work and economic growth, combating climate change and promoting peace, justice and strong institutions.

Right to information is embedded in the last set of goals above as Goal No. 16. Its inclusion reflects the growing recognition by the international community that peace and justice, as well as effective, accountable, inclusive institutions are at the core of sustainable development.

SDG Targets: To unpack the SDGs and bring them under sharper focus, 169 associated targets were identified at the same time. The targets for Goal 16 range from reducing all forms of violence to reducing corruption and bribery and ensuring public access to all information. The last target relates to RTI.

SDG Indicators: Following adoption of the SDGs, the UN had set up an “Inter-Agency and Expert Group on the Development of a Global Indicator Framework.” Among hundreds of indicators identified by it, the one for Target 16.10, with Indicator No. 16.10.2 concerned: “Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information.”

Unpacking Indicator 16.10.2: It will be the task of national and international monitors now to unpack and further clarify Indicator 16.10.2 and follow them up. At the international level, this has been done by UNESCO, which will serve as a custodian agency responsible for global reporting to the UN on this indicator. Bangladesh monitors will have to develop and follow national indicators, as necessary, guided by UNESCO perspective.

The UNESCO perspective identified three key variables to indicate the state of public access to information in a country. They are: 1) whether a country has constitutional, statutory and/or policy guarantees for public access to information; 2) the extent to which such national guarantees reflect international human rights standards and/or agreements; and 3) the implementation mechanisms in place for such guarantees.

The latter variable includes the following: i) Government efforts to publicly promote the right to information; ii) citizens' awareness of their legal right to seek and receive information and their ability to utilise it effectively; iii) capacity of public institutions to provide information upon request by the public; and iv) independent redress mechanism.

The Task ahead: As Bangladesh already has an RTI Act and has gained significant experience under it for the last seven years, it is better-placed than many other countries to begin work on the above. But given our specificities, additional indicators may have to be developed as we progress towards 2030. The emerging national experience and the increased knowledge of international practice will provide further guidance.

To begin with, we shall have to recognise that our ability to fulfill SDG Goal No. 16 will require far greater efforts from the three key players concerned, namely the government, Information Commission (IC) and citizens, than has been the case so far. We must critically assess the performance of each player and draw lessons from them.

Two points will require particular attention in this regard. First, while the other SDGs would depend primarily on the efforts of the government for their achievement, citizens must play the key role in attaining Goal 16 and Target 16.10. Unless they put the law to use, the government can do very little to take it forward.

Second, as a nation, we need to understand the basic objectives of RTI more fully. Based on what we understood initially, we have not done too badly. We have managed to establish the basic requirements of an RTI regime in the country. We have set up the IC; adopted rules and regulations; engaged in creating

awareness about the law; got people to seek RTI-related information, though not very many; sensitised public officials to supply that information, however reluctantly; and got the IC to resolve disputes between the sides.

But these are only basics. There is a need to go beyond this preliminary phase to reach the higher objectives of the law. What we have achieved so far may be called first degree outcomes, as described in a World Bank study. The study further states: “First-degree outcomes, however, tell us nothing about whether the disclosure of information has led to improved governance or service delivery, or even whether it has supported individual goals. These accountability outcomes, second degree outcomes, are more difficult to trace. . . In the context of development, whether RTI laws contribute to broad socioeconomic change and the goals of poverty reduction or shared prosperity, third degree outcomes, is even more difficult to determine.”

Our 2030 goal should, therefore, be to strive towards achieving the second and third degree outcomes and ensure systemic change in governance. If we can do that, other SDG goals would fall in place more easily. It must be remembered, however, that attaining the all-embracing, overarching, foundational Goal No. 16, would require changes that are extremely difficult to achieve. Peace and justice, accountable and inclusive institutions are intangible and elusive.

It is heartening that the government has committed fully to fulfilling the ambitious vision of the SDGs, following its remarkable success in the MDGs. However, it will require all of us - government and citizens alike– to fulfill the Prime Minister's wish to surprise the world once again in this regard. As far as RTI is concerned, citizens and the IC will have to work closely together to identify the difficulties and challenges, and undertake corrective measures to move ahead.

In the days to come, it is the work of the IC that will be under particular focus of international scrutiny, as it is easier to assess its performance against the provisions of the RTI law and emerging international standards. If it does its job well, with the required support from the government, more citizens would exercise their rights under the law and more public officials made aware of their obligations under it. This, in turn, will contribute to transparent and accountable governance which will be key to achieving the SDGs.

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