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The hope of a new dawn for RTI and democracy



FILE VISUAL: ANWAR SOHEL

Two recent developments have alleviated, at least temporarily, the creeping despondency among right to information (RTI) enthusiasts in Bangladesh, which was triggered by the September 2024 departure of all three information commissioners, following the July uprising and the assumption of power by the interim government. The departure of the commissioners made the Information Commission of Bangladesh virtually dysfunctional.

The first development was the release of draft amendment to the RTI Act, 2009 by the information ministry last month, seeking inputs from citizens for further improvement to the law. The draft was based on the recommendations of Public Administration Reform Commission, one of several such commissions set up by the interim government to strengthen and safeguard democracy. It raised hope that the government was at last focusing on the beleaguered RTI Act, which is considered to be the most effective instrument for citizens to monitor the work of government bodies.

The second development was the declaration on August 5, 2025 by the chief adviser of the interim government on the much-awaited July Charter that aims to concretise the aspirations of July uprising. Added to it is the announcement, on the same day, of the equally anticipated general election, to be held by February 2026 to elect a new government. Together, they raised hope that the momentous developments which followed the violent overthrow of the previous regime would lead to a new dawn of democracy in Bangladesh.

A close look at the two developments would reveal a close link between them and the avowed aspirations of the July Charter. On several occasions in the past, this column has sought to underline the importance of the RTI Act for democracy in the country and recognising its proper use by citizens to be as important, if not more, as their right to vote. The reason is that elections are held every five years, while the right to seek relevant information on the work of the government is available to citizens at all times. Elections lead to a government chosen by the people, but once completed, there is little citizens can do to change it during its term of office. RTI empowers them to monitor its work continuously and contribute to good governance.

Good governance requires that public offices abide by the policies, laws and rules of the land. Failing to follow them leads to arbitrary abuse of power and corruption, as witnessed frequently in our country and all over the world. The RTI Act, 2009 seeks to eliminate/avoid them. The preamble to the law asserts that its primary objective is to increase "the transparency and accountability of all public, autonomous and statutory organisations," as well as "other private institutions constituted or run by government or foreign financing," so that "corruption shall decrease and good governance... shall be established." It is unfortunate, however, that the promise of the law is little appreciated by the majority of our population, including our youth who spearheaded the July uprising. Otherwise, its use would not have been so limited even after 16 years of its adoption.

The time is ripe, therefore, for our civil society and political workers to come together and devise a strategy before the upcoming general election to secure the commitment of political parties to unstinted implementation of the RTI Act. A strategy to include such a commitment by the political parties in their election manifestos was adopted by civil society groups before the 2008 election, which many consider to be perhaps one of the fairest elections in the country. This should be done this time too, but with greater force, since we now know how effective the RTI Act can be in supporting a watchdog role for citizens to monitor the work of public offices and act as whistleblowers against corruption. This column has cited many success stories of the RTI Act in the country over the years, while bemoaning that more could be achieved if only both citizens and the government gave more attention to promoting the law.

The amendment to the act proposed in the draft recommendations will hopefully result in an improved law, but the need of the time is to put it to a greater and more effective use by citizens. We know that NGOs and civil society groups have already submitted their inputs for the amendments. If accepted, we can expect more citizen-friendly provisions, including stricter adherence to them by public bodies. One particular provision that we would like to emphasise is the inclusion of a specific "public interest override" clause. It exists in the laws of most advanced democracies in the world. It seeks to ensure that, in balancing between the government's interest while dealing with RTI requests and the public interest at large, the latter should prevail. It is worth noting that the interim government is uniquely positioned to provide the country and its citizens with an effective mechanism to keep the government on guard at all times. Traditionally, government bodies and bureaucracy are wary of open governance for well-known reasons. The interim government should have no such qualms and will earn the country's gratitude for such a gesture.

The interim would also be well-advised to set the Information Commission in full motion with prompt appointment of the commissioners, long before they hand over power to an elected government. It will set in motion a healthier interaction between citizens and public officials, which is essential for good democracy. An effective Information Commission, supporting the efforts of well-meaning citizens to keep the government on guard, will be a lasting legacy of the interim government that will perpetuate the spirit of the July uprising in the country's governance system. It will also end the frustrations of ardent users of the law who have been lamenting the absence of the mechanism for almost a year now.

We ask the readers to ponder a situation where, after the much-anticipated election, there is a mechanism for well-balanced interaction between citizens and the new government, where transparency and accountability of public offices are well-established. Where there is a smaller scope for abuse of power by public authorities, and citizens can play their roles as effective watchdogs for democracy and whistleblowers against corruption without fear or intimidation. It will be the fulfilment of a long-held dream of the nation.

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