

“Right to Information - Global Experiences and Lessons for Pakistan”.

INSAF NETWORK PAKISTAN (INP) envisions a society, which promotes rights and legal empowerment of its citizens and disapproves of all forms of abuse, neglect and violence. One of the fundamental rights that Insaf Network Pakistan focusing on is Article 19A, Right to Information, in the Constitution of Pakistan.

The right to information is a hallmark of liberal democracies the world over. Voters armed with information can make better electoral choices. Informed taxpayers can ensure that the resources meant for them are spent for them. Citizens with information on budgets and public spending can hold service providers accountable.

Pakistani citizens were first granted access to Public Information through the “Freedom of Information Ordinance 2002”. The law was applicable only to Federal government departments. Although a step in the right direction, the Ordinance failed to achieve its goals. There was no policy or planning to guide implementation. Officials were not assigned to serve information requests. They were not made aware of their new responsibilities or trained to perform them. There was also very little demand from citizens to use the law, as most ordinary Pakistanis remained unaware of it. More recently, Sindh and Khyber Pakhtunkhwa introduced provincial laws on access to information. Derived from federal legislation, these laws inherited most of its weaknesses – as well its failures.

In 2010, the parliament passed the 18th Constitutional Amendment which made Right to Information a fundamental constitutional right. This was a highly progressive policy reform. It is rare for state constitutions to guarantee this right.

Article 19A, Right to Information of Constitution of Pakistan states, “every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law”.

But the reform was again let down by implementation failure. It did not deliver actual access to information for the ordinary Pakistani citizen. INP intends to raise awareness among citizens on their legal and constitutional rights to information. INP will also advocate for measures by the government to implement laws on the ground. More people using the law to request information will build pressure on service providers to make their functions transparent. Civil society and the media must lead this push. And INP will play an important role in this effort.

To promote and give awareness on Right to Information, Insaf Network Pakistan organized a Lecture by Toby Mendel on 4th March, 2013. Mr Mendel is the Executive Director of the Centre for Law and Democracy, a Canadian-based international human rights NGO that focuses on providing legal expertise regarding foundational rights for democracy, including the right to information, freedom of expression, the right to participate and the rights to assembly and association.

Participants in the event included members of Civil Society, Law Colleges, Bar Associations, Donors, Lawyers, and Students. The discourse proved to be greatly enlightening; Mr Mendel spoke of the three steps to effectively ensure and protect the fundamental rights of citizens: efficient legislation, commitment from officials with regards to implementation of legislation, and efforts to generate awareness of these fundamental rights as provided, amongst the public. He stressed that effective provision of rights through the law would first require efficient legislation to be in place, and through a statistical study, highlighted that Pakistan falls relatively low on a list ranking countries by efficiency of their legal framework. More people need to be aware of their right to demand information from government officials, so as to push towards a more responsible, accountable and efficient government. The event was a major success.