

Conference Report - Reforming the Sindh Freedom of Information Act 2006

Work Agreement Between Centre for Peace & Development Initiatives & The Bolo Bhi Society

Representatives:

Zahid Abdullah - Centre for Peace & Development Initiatives

Sana Saleem - Bolo Bhi Society

Introduction:

The Conference pertaining to Reforming the Sindh Freedom of Information Act 2006 was held on the 18th of November 2014 (As per CPDI Instruction) at the Movenpick Hotel Karachi, Business Arcade. The Bolo Bhi Society was in charge of all logistical preparation and hosting the event while CPDI and Bolo Bhi (in collaboration) were to reach out to panelists for discussion.

Explanation:

Sindh Freedom of Information Act 2006 belongs to the first generation of right to information laws in Pakistan as Sindh opted, along with Balochistan, to replicate Freedom of Information Ordinance 2002. Khyber Pakhtunkhwa Right to Information Act 2013 and Punjab Transparency and Right to Information Act 2013 belong to 2nd generation of right to information laws as the provinces of Khyber Pakhtunkhwa and Punjab did not adopt Freedom of Information Ordinance 2002.

Sindh Freedom of Information Act 2006 and other 1st generation right to information laws are inadequate as these laws do not meet international standards of effective right to information legislation. 'Information' is not defined, the list of exempted information is vague, there is no harm test, and the process of access to information held by public bodies is neither cost-effective nor easy. More importantly, instead of establishing independent and autonomous commissions, the role of appellate body has been entrusted to Ombudsman. That is why empirical data collected over the years by using these 1st generation laws also supports assertion of the right to information activists in the country that these are highly ineffective laws. On the other hand, KP and Punjab right to information laws meet standards of right to information legislation. 'Information' is clearly defined, list of exempted information clear and precise, process of submitting information requests is both easy and cost-effective and independent and autonomous commissions have been established with powers to get these laws implemented. As a result, civil society groups, citizens and journalists are using 2nd generation right to information laws in greater frequency than 1st generation right to information laws. The federal government is in the process of repealing Freedom of Information Ordinance 2002 and its replicas in Sindh and Balochistan also need

to be repealed if the constitutional right of citizens guaranteed through Article 19-A is to be promoted and protected. It is in this context that Coalition on Right to Information and Bolo Bhi held a conference on 'Right to Information Legislation in Sindh: the Way Forward'.

Conference Outcome:

A closed group discussion led to developing a strategy on reforming Sindh's freedom of information law. The group, decided that the Coalition for Repealing Sindh's Freedom of Information law will be brought on board with our discussion, the draft prepared by Dr. Gardezi will be shared with staff of CPDI and discussed with members of National Coalition for Right To Information.

The strategy would be to approach willing members of the National & Provincial assembly and bring them on board through an open discussion with the coalition members. Policy makers will be briefed and handed over the draft of model law, and then focus on media and outreach strategy.

Overall, the group agreed to work together in supporting the model law, reach out and brief policy makers, reach out and brief media and work towards reforming Sindh's Freedom of Information Law as soon as possible.

Conference Pictures:



