



তথ্য অধিকার ফোরাম

IMPLEMENTING RIGHT TO INFORMATION IN BANGLADESH: OPPORTUNITIES AND CHALLENGES

Iftekhar Zaman

Executive Director

Transparency International Bangladesh

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Key Questions

- **Why RTI**
- **What are the main preconditions**
- **What are the roles of main stakeholders**

Structure

- **The Context**
- **RTI & Governance**
- **Opportunities**
- **Challenges**

The Context



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- **Background**
 - Multi-stakeholder campaign
 - Civil society & the Media played the key role
- **The Act**
 - Comparable to similar laws/Acts elsewhere
 - Welcomed and Criticized – exemption list
 - “Counterproductive” to the notion of RTI
 - Not written in stone
- **Limited expectations**
- **Part of the struggle for democratic institutionalization, good governance and anti-corruption**



RTI and Governance

- **Research has shown strong correlation of RTI & public disclosure with improved governance**
- **Transparency associated with lower corruption, better economic HDI**
- **Transparency in budget is associated with better governance standards and improved economic and social outcomes.**
- **Strong causal link between corruption and poverty. Good performance in CPI ► Higher Income per capita.**
- **Countries having RTI tend to perform better in CPI, though difficult to definitively correlate**

Scores in CPI by Countries that adopted RTI recently (0-10 scale)

#	Country	Year of adoption of RTI law	2003	2004	2005	2006	2007	2008
1	<u>Albania</u>	1998	-	-	2.4	2.6	2.9	3.4
2	<u>Croatia</u>	2003	3.7	3.5	-	3.4	4.1	4.4
3	<u>Czech Republic</u>	1999	3.9	4.2	4.3	4.8	5.2	5.2
4	<u>Estonia</u>	2000	5.5	6.0	6.4	6.7	6.5	6.6
5	<u>India</u>	2005	2.8	2.8	2.9	3.3	3.5	3.4
6	<u>Latvia</u>	1998	3.8	4.0	4.2	4.7	4.8	5.0
7	<u>Pakistan</u>	2002	2.5	2.1	2.1	2.2	2.4	2.5
8	<u>Romania</u>	2001	2.8	2.9	3.0	3.1	3.7	3.8
9	<u>Slovakia</u>	2000	3.7	4.0	4.0	4.7	4.9	5.0
10	<u>Slovenia</u>	2003	5.9	6.0	6.1	6.4	6.6	6.7
11	<u>South Africa</u>	2000	4.4	4.6	4.5	4.6	5.1	4.9
12	<u>South Korea</u>	1996	4.3	4.5	5.0	5.1	5.1	5.6
13	<u>Turkey</u>	2003	3.1	3.2	3.5	3.8	4.1	4.6

Implementing RTI in Bangladesh: Opportunities



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- **Primacy of the Political**
 - How deep and genuine is the commitment
 - Was it because of a stake of the Govt
- **Time will tell**
 - Following from electoral commitment
 - Not in response to conditionality
 - Not just because Ctg left an Ordinance
 - One of the Acts that clearly received priority
- **National Consensus – AL & BNP**
- **AL – Specific Commitment on RTI plus at least 13 more supportive commitments**

Implementing RTI in Bangladesh: Challenges



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- **Developing a proper strategy**
 - Participatory engaging all stakeholders
 - Powerful lead agency
 - Inter-ministerial coordination
 - Time-bound action plan & monitoring
- **Capable Information Commission**
 - Independence & effectiveness
 - Commissioners with credibility, integrity, commitment, knowledge, dynamism
 - New territory – training & capacity building
- **Developing RTI Rules**
 - Simplified procedures in plain language
 - Sensitive to different settings – urban & rural

Implementing RTI in Bangladesh: Challenges



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- **From a culture of secrecy to openness**
 - Discretion, concentration of power
 - Applicable for both GO & NGO
 - Capacity & knowledge
 - Mindset & inertia against change
- **Comprehensive effort**
 - Training, motivation & orientation
 - Develop ownership and sense of benefit

Implementing RTI in Bangladesh: Challenges



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- **RTI-friendly Information System**
 - Archaic information management system
- **Modern digital system to facilitate easy, dependable and secure archiving and retrieval with clear tracking indicators**
- **IM system must ensure the largest possible proactive disclosure helpful for both information providers and seekers.**

Implementing RTI in Bangladesh: Challenges



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- **RTI-Friendly legal system**
 - Constant review and analysis of the Act
 - Harmonization of existing laws with the Act to remove any inconsistencies & contradictions
- **legal and policy provisions that may make it difficult to enforce the RTI Act**
 - Officials not clear about the dividing line
 - Commission to provide clear guidelines
 - Need for training
- **Supportive and independent Courts and law-enforcement system**

Implementing RTI in Bangladesh: Challenges



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- **Civil Society & the Media**
 - 2-way stakes of the Civil Society – information providers & demand creators
 - Lead in proactive disclosure
 - Partnership with the Government for supply side capacity building campaign
 - Material development and communication
 - Direct involvement – MKSS, AI-Desk
- **Strategic Partnership with the Media**
- **Use of Internet – reducing domination of information control – leveling the field**



In lieu of a Conclusion

- **RTI will empower citizens; hold authorities accountable; strengthen democracy, promote good governance; devolve authority, curtail discretion**
- **RTI will be resisted – from within**
 - Public officials for it reduces discretion
 - Politicians – reduces abuse of power
 - Business for vested interests
 - NGOs for gains from non-disclosure
 - Media by manipulating information for vested interests
 - Civil Society for polarization and lack of unity
- **Challenges cannot dampen the opportunity – rather help develop effective strategies and policy actions**

Thank you



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Corruption: Who Gets What?

**Disclose
Information
Curb
Corruption**



**তথ্য জানবো
জানাবো—
দুর্নীতি রুখবো**

**Implement
RTI Act
Promote
Good
Governance**