

Report of the Donor's Workshop on Right to Information September 7, 2001, India International Center - New Delhi

Background

The Commonwealth Human Rights Initiative organised a workshop on the Right to Information in New Delhi on September 7, 2001. The workshop was planned with the intention of introducing Right to Information to the donor community in India, CHRI believes that introducing the idea of having a right to know is vital to community based and advocacy programs in all thematic areas especially at a time when a national bill is on the agenda and many state governments have enacted right to information legislation's. CHRI has been running a programme on the Right to Information for the past four years, CHRI believes that Right to Information is a relevant to all citizens and groups working on any and every issue and therefore awareness on the right to information should be taken to as wide an audience as possible. The Donor's workshop was organised with the intent to bring the attention of the donor community to the right to information and to stress the relevance and importance of the issue with the donor community in India as also to influence donor's to include a component on right to information in their programmes and projects.

Sessions conducted

The first session was an introductory session where the participants introduced themselves and their area of work. The participants represented organisations working on various areas such as child rights, corporate social responsibility, HIV/AIDS, rural development, some of the United Nations organisations like UNDP and UNICEF, World Bank and others. Bimal Arora introduced CHRI and Maja Daruwala spoke briefly on the value of right to information and CHRI's work in the area and set the tone for discussions by defining CHRI's objective in conducting the workshop. Maja presented CHRI's position on the right to information as a right that was central to the realisation of all other human rights, as a tool for fighting corruption, for ensuring transparency and accountability and most of all for enabling informed participation by the people.

The second session included a presentation by Deepika Mogilishetty of CHRI on the law and the developments on Right to Information in India. This presentation was followed by a discussion on the laws in the various states and the role of civil society with respect to the right to information.

Deliberations

The participants discussed the need for right to information on various issues; some felt that information affecting the life and livelihood of people should be easily available. Access to information at the grass roots is of utmost importance.

The ideas that came out of the workshop were as follows:

Donor's to look at relevance of Right to Information: - There was a feeling among the participants that the Right to Information was a new area for NGO's and Donor's and these groups need to look at relevance of the Right to Information for their work.

Public Education: - There is a need to build greater awareness on the issue of right to information and take the issue to a wider audience and only then will the government be forced to act. The media should be used in order to develop awareness; in addition Right to Information is also the responsibility of the media. Local media should be used as a channel of delivery, in addition Donors should come together to inform media to generate demand for information and to supply information.

Supply and Demand of Information: - There was a view that it is necessary to access people's need, one could conduct a user survey to find out what people want, develop a data base of this and ensure these needs are met.

All states in the country are taking initiatives in the Information Technology sector, there are many e-governance projects being undertaken. Providing access to information through these means is nothing but giving effect to the right to information. This really is the supply side of the information flow.

Repositioning right to information_- Right to information has been looked at from a legal point of view and we now need to move away from the legal definition and look at the delivery of information. If one were to convince government officials using the language of rights would not be the right approach.

Involvement of the Corporate Sector: - Some of the participants felt that the corporate sector should be brought within the purview of the law on the right to information. Internationally legislation's on right to information have referred to only access to government held information, only the South African law on the point tries to bring in the private sector within the purview of the law.

Sumeeta Bannerjee of CIDA and Vikram Chand from the World Bank said that the private sector needs to be targeted not only as providers of information but also as a sector that needs access to timely information in order to further its growth. There was a view expressed that there while advocating for Right to Information, if one takes a position that private bodies should come under the purview of the law, then the corporate sector will not be willing to support a movement for the right to information. This argument was negated by others saying that corporations are keen on having a clean image and would like to see themselves as institutions that are contributing to society. If providing access to information is positioned in this light the private sector would have no objection to be brought within the purview of the law. However, the kind of information they will be expected to disclose and their obligations will have to be clearly defined.

Providing access to relevant information: -_There is a need to provide relevant information that people can use, merely providing access to government information that no one can understand will not be useful for anyone. Organisations must get involved in processing information that people can use and this information should be accessible to people in a timely manner. Budget analysis for instance is a very useful exercise, organisations involved in this should do greater advocacy around this issue.

Right to Information and the donor community

The workshop did generate a tremendous amount of interest among the participants on the issue. Many were of the view that right to information should be included in their projects and programmes. In terms of ideas on what can be done on the right to information the following suggestions came up.

1. Incorporate right to information into their areas of funding, in this context CIDA suggested that sessions on right to information be included in their annual partners meeting and the topic be introduced to them and network be built through which the issue can be taken to a wider audience.
2. Right to Information will not be effective until and unless people have knowledge of the law and are empowered to use the same the law will be ineffective, therefore there is a need to spread awareness by including components on right to information into existing programmes.
3. Assessment of information needs of people by various organisations with respect to the work they are associated with is necessary

4. The donor community should encourage its partners to use the law on right to information to access information and disseminate this to the groups and people they work with.
5. NGO's must act as intermediaries to make information available to people from the government and in this regard should get involved in processing information relevant to people.
6. Some like the UNDP were interested in collaborating with CHRI in jointly holding an event on the issue – the possibility of a joint workshop was discussed, UNDP is currently involved in a study on the right to information and this study is expected to be complete in 2 months time.
7. One of the donor's working on issues related to children is keen on incorporating right to information in their work on participatory development involving children.

Follow up

CHRI has been meeting with donors individually to further explore their interest on the issue and work out modalities for collaboration. In this regard the team has met with CARITAS, PLAN, UNDP and explored options of working together. Many options are being explored; both CARITAS and PLAN have expressed an interest in doing some work at a regional level to introduce the issue to their partners. UNDP has expressed an interest in doing a joint event in the western part of India once their report on the right to information in Rajasthan is complete. CHRI continues with its individual meetings to follow up on ideas and discussions that came up at the workshop with individual donors.

AGENDA

Workshop for Donors' on Right to Information
7th September 2001
India International Center, New Delhi

09.30 a.m - 10.00 a.m	Introductions and Workshop Objectives
10.00 a.m – 11.00 a.m	Open discussion on What is Right to Information; Developments on Right to Information in India; & CHRI's Work on Right to Information
11.00 a.m - 11.30 a.m	Tea Break
11.30 a.m – 12.00 p.m	Legal regime governing right to information in India
12.00 p.m - 1.15 p.m	Discussion
1.15 p.m – 1.30 pm	Winding up and vote of thanks

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