

Public Affairs Centre

**Right to information training for
NGOs from Pakistan and Sri Lanka,
11 – 14 March 2007, Colombo (Sri
Lanka)**

Group Exercises

GROUP EXERCISE: SWOT ANALYSIS

Group 1

STRENGTHS	WEAKNESSES
Section 3(1)	Confusion & contradictions
Sec – 6,7,8,9	Title of Section 1 & Section 2
Sec 10 & 1	Public authorities: interpretation to include president and judicial organs
Sec 17	Every citizen: excludes foreign estate workers
Sec 19	

OPPORTUNITIES	THREATS
Meetings / Seminars	Political will
Best practices – Regional & International trends	Conflict situation
Will of the people	PTA / ER

Group 2

STRENGTHS	WEAKNESSES
Law in place	Limited scope
Law provides to make the government accountable through access to information	Huge list of exemptions
Maintenance: in hindering & computerization of record	No overriding effects
Proactive disclosure	Fees on higher side
Right of appeal	Ombudsman decisions are not binding
Punishment for destroying record	Penalty on complainant
Protection of whistle blower	No penalty for denial
Appointment of designated information officer	
Assistance to the requester	
Harm test	

OPPORTUNITIES	THREATS
Global & regional impetus on FOI/ RTI	Shifting donor focus
Law in place – Build upon it	Political instability
Provincial laws	
LGO laws	
Capacity building	
Political parties	

Group 3

STRENGTHS	WEAKNESSES
The mere fact that there is an effort to introduce a bill in this regard (promotion of democracy)	Section 2 – citizens
Every citizen has a right to access to official information which in in the possession, custody or control of a public authority	Section 3(2) – exemption is too broad
Section 3 – supremacy of the law	Section 4 – (h) (i)
Section 4(b)(f)(j) of the bill – privacy	Section 8
Section 33	Section 11
4 (e) (ii)	Section 27 – vague
Duties of Ministries and Public Authorities (section 6)	
Section 7 – President is obliged to give out information/ divulging information about the ministries	
Making President and the Ministers accountable	
Duty of the public bodies to submit information to the commission on public requests	
Appointment of an information officer	
Ability to submit requests orally – section 20	
Section 21 – time period of 14 days	
Section 21 (2) Should give additional reason in asking additional feel release information	
Section 22 – not arbitrary	

OPPORTUNITIES	THREATS
Section 3(1) (2)	Section 4(1)(a)(d) (f)(g)(i)(j), 4(3)
Section 4	Section 27
Section 7	Section 36
Section 8	
Section 10	
Section 11	

GROUP EXERCISE: STRATEGIC LITIGATION

Group 1

Topic:

Protection of rights of persons with disabilities

NGO Name:

Strategic Litigation Organization Worldwide (SLOW)

Subject:

Legal protection to the rights of disabled persons in the context of human rights instrument

Objectives:

1. Protect the rights of persons with disability
2. Reforming local laws vis-à-vis international covenant on the rights of persons with disability
3. To provide legal remedies to disabled persons (DP)
4. To protect DP's rights in government services
5. To promote disability – friendly buildings
6. To Protect /Promote accessible work place environment
7. Ensuring access to information in the areas of education, entertainment and job market

Strategy:

1. Strategic litigation before the competent court of jurisdiction
2. Training of the stakeholders
3. Development and provision of material
4. Sensitization of stakeholders
5. Proper documentation for the purpose of litigation
6. Obtaining relevant case laws and judgment for production as case law.
7. Professional persuasion of the case
8. Filing of application at proper forum for redressal

External Help:

1. Networking with the relevant organizations which work for the rights of disabled people and asking them to give support in form of amicus briefs
2. Networking with local and international organizations
3. Support from individual's/philanthropists
4. International / regional legal instruments and institutions
5. Media

Group 2

Name:

Good Government Organization (GOGO)

Type of NGO:

NGO promoting good governance working as a think tank and working with CBOs

Selected Case:

Lack of transparency in tsunami aid distribution

Filing a FR case under Article 14(1)(a) – freedom of expression

Subject Matter:

Requesting disclosure of information on tsunami aid distribution in area

Pleading in action of government

Respondents:

District Section of area

Head of RADA

AG

Objectives:

1. Receipt of detailed information on tsunami aid disbursement
2. Ensure fair distribution of aid
3. Exposing corrupt public officials
4. Creating legitimate environment to enact relevant laws on accountability
5. Promotion of good governance

Support – External:

1. Petitioners directly affected
2. Amicus briefs from other NGOs
3. Field researchers
4. Lawyers
5. Media
6. Sensitized judiciary
7. Funds
8. Government officials

GROUP EXERCISE: ADVOCACY

Group 1

Strategy:

- 1) Conduct a study – Learning from international case studies / experiences
- 2) Consolidating a proposed draft
- 3) Open the draft for public comments
- 4) Prepare a final draft
- 5) Public Campaign
- 6) Lobbying politicians
- 7) Time frame – 2 years

Tools:

- 1) Media
- 2) Civil society network
- 3) Lobbying
- 4) Advertising
- 5) Performing arts

Supporting partners:

- 1) Media
- 2) NGOs / CSOs
- 3) Professional bodies
- 4) Trade Unions
- 5) Unions – students
- 6) Academia

Opposing parties:

- 1) Politicians – (Majority)
- 2) Business tycoons – some
- 3) Corrupt bureaucrats
- 4) Local government agents

Local resources needed:

- 1) Experts
- 2) Artists
- 3) Promoters – dedicated
- 4) Media Organizations (time, space)
- 5) Local funding
- 6) Local networks

Group 2

Right to Information Advocacy strategy:

Enactment of provincial right to information law

Target groups:

1. Political parties
2. Provincial assembly
3. Bureaucracy
4. Law Department
5. Lawyers
6. Journalists
7. General Public

Strategy:

Human and Financial Resources

Time frame: 1 year

Resource Material

Drafting of Law

Tools:

1. Seminars / Conferences / Workshops
2. Lobbying with MPS / Political Leadership
3. Correspondence
4. Media: Print, Electronic
5. Publications: Pamphlets, Booklets
6. Community gatherings
7. Signature campaign

Supporters:

1. Journalists Unions
2. Like minded organizations (regional & International)
3. Bar associations
4. Political parties

Opposition:

1. Bureaucracy
2. Newspaper Owners
3. MNC
4. Tax / Evaders
5. Security Agencies

Local Resources:

1. Human Resource
2. Trainers
3. Experts (Legal)

4. Drafters
5. Equipment
6. Financial Resources

Group 3

Strategy:

1. Awareness – seminars; workshops; Training of Trainers (TOTs); Surveys
2. Capacity Building - Formation of Committees; getting the support of experts; Media/ IT
3. Drafting Action Plan - Identifying problems & solutions at different levels; identifying measures
4. Lobbying - Public & Government discourses; Media coverage; Legislation & Implementation

Tools:

1. Media
2. IT
3. Community Leaders
4. Clergy
5. Opinion Leaders
6. Art / Drama / Video

Support:

1. CBO – Media
2. NGO – Academics
3. Trade Unions
4. Coalition
5. International Community

Opposed:

1. Politicians
2. Government officials
3. Business community

Local Resources:

1. Human Resources
2. Social Movements
3. Networks

Finance:

All supporters (except international community)

GROUP EXERCISE: THE WAY FORWARD – RIGHT TO INFORMATION ACTION PLAN

Group 1 – Action plan for Sri Lanka

1. Grassroot level workshop/ seminar via the available networks (Legal Aid, TI Sri Lanka, CPA, IHR, etc.)
2. Identify all stakeholders (political sphere) and bring them together
3. Form a coalition: RTI for the people

Group 2 – Action plan for Pakistan

1. Visit 50 UCs to promote the culture of FOI and to seek information at local level under Section 137 of the LG ordinance
2. Two seminars in Baluchistan and Sindh
3. One workshop on RTI in the First Week of May in Islamabad
4. Correspondence with six major political parties in NWFP
5. Articles in legal magazines (including publication of RTI seminar)
6. Consultation with NWFP Government
7. Involvement of Youth Volunteers
8. Networking and sharing of Information
9. Assessment of FOI policies in all provinces
10. Distribution of FOI Training Manual to Press, Bar and Civil Society Organisations.