



An eNewsletter from SUPRO, Bangladesh

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On “The Draft Right to Information Ordinance”

[Position paper of SUPRO presented at a National Roundtable held on 19 March 2008 at National Press Club, Dhaka. More than 100 people including political leaders, journalists, academics, professionals, activists and representatives from different civil society organizations actively took part in the discussion and made comments and suggestions on the issue]

Recently, the government of Bangladesh has made a draft on right to information entitled- “The Draft Right to Information Ordinance” and put it on the Web in order to seek public opinion. The draft



Ordinance has 27 different sections. Purview All government institutions and agencies, private organizations, cooperatives and other organizations remained under the state law has come under the purview of this new ordinance. Information, disclosure of which would prejudicially affect the sovereignty, integrity of Bangladesh, security, strategic, scientific, or economic or business interests of the State, relation with foreign State or lead to incitement of an offence; information which expressly forbidden to be published by any court of law or tribunal or the

disclosure of which may constitute contempt of court; the disclosure of which would cause a breach of privilege of parliament or the state legislature, trade secrets of intellectual property, the information relates to the income tax of any person or authority, custom, tax and tariff or exchange rate of currencies and interests rate or the monitoring and administration of economic organizations exempted from publication of information under the section of 8.

It has been said in the Ordinance that Information Commission will make a guideline for all to follow. The commission is also responsible to make an updated yearly report on the implementation status of the act and put it on the website. We whole heartedly congratulate the government for drafting such an important Act. We hope that the government would continue such process even in other national policy issues. However, government initiative to put the draft on the web inviting public opinion will not serve the purpose fully as most of the people live in rural areas and virtually have no access to Internet. Very few urban people have access to internet and they are in a position to express their opinion. In this backdrop, SUPRO, being a networking organization organized consultation meeting with stakeholders and civil society members in 20 districts. The present position paper is based on the opinions/suggestions and recommendations of those local consultation meetings. We collected huge

Call to scrap Official Secrets Act.

Speakers at a discussion called on caretaker government to bring major changes to draft of the Right to Information Act and to scrap the Official Secrets Act 1923 that contradicts the RTI act. They also urged the government to induct representatives from the political parties, civil societies at the media into the committee that will finalize the draft.

Shushasoner Jonny Procharavizan (SUPRO) organized the discussion on 19 March 2008 at the National Press Club. Prodip Kumar Roy, chief executive officer of SUPRO welcoming the government initiative to formulate the RTI Act.

The speakers said, there are some loopholes in the draft, which need to be removed. They urged the government to provide information free of charge and to shorten the list that restricts disclosure of information. They also called for scraping sub-section (jha) of Section 8 of the draft act.

Human rights activist Hameeda Hossain said the government should scrap secrets act that contradicts the RTI Act. She also urged the government to ensure maximum disclosure of information. Workers party leader Haider Akbar Khan Rono called on the government to simplify the draft so that general people can easily understand it.

Former Awami League lawmaker Lt Col (retd) Faruk khan, former BNP lawmaker Lt Gen (retd) Mahbubur Rahman , General secretary of CFSD Mahfuz Ullah, Workers party leader Saiful Haq, Deputy editor of Daily Samokal Mozammel Haq and Barrister Barrister Tania Amir also spoke. SUPRO Chairperson Abdul Awal moderated the discussion.

Courtesy: the Daily Star, 20 March 2008

recommendations from district consultation, program and seminar. We intend to accommodate more recommendations through this national roundtable and hand over a comprehensive recommendation to the Ministry of information.

We have got two types of opinion from the local level- general and Section-wise specific recommendations

General opinions are as follows:

- Language of the ordinance is not easy to understand particularly for the general people. It should be very easy and reader-friendly. There should be explanation of each and every Clauses.
- There was no representative of political parties, civil society organizations or media in the draft committee formed by the government. Before finalization of the Draft, a truly representative committee involving all section of the society has to be formed.
- International Financial Institutions (IFIs) such as WB, IMF, ADB etc., transnational companies should be brought under this Act.
- Time-frame for seeking public opinion should be extended.
- There must be specific directions regarding how to get the information from different service delivery organizations and agencies of the state such as Land management office, Hospitals, Police Stations etc. To develop the information delivery system, everything should be computerized.
- There must be a special clause regarding the disclosure of information related to various contracts usually made by the government with different states, organizations and agencies.

Some specific opinions/suggestions are given below:

The Draft Right To Information ordinance 2008	Opinion/Suggestions
<p>Preamble: The desire of knowing is an inborn habit of human beings. The interest of knowing has turned into right to information's gradually. As right to information is constitutionally acknowledged, the empowerment of the citizens is necessary for the implementation of Right To Information [RTI] in a democratic country. As the establishedment of right to information enhances the clarity and accountability for both public and private institutions, some specific information should be kept under control for the safety and betterment of the country.</p>	<p>In the preamble safety, secrecy, and public related specific explanation along with some special information should be kept under the control of the Government.</p>
<p>Section-3. Significance of the Ordinance: Whatever there might be in the conventional law or law in the 1923, after the enactment of this ordinance, the regulations of it will be activated.</p>	<p>Which laws are the impediments for the people according to the official secrets acts of the British period or of the 1923, that must be banned with specific announcement.</p>
<p>Section-5. Information published by the authority: Each Govt. Authority will at least publish a report after every two years.</p>	<p>Even every year, in spite of two years, report has to be published</p>
<p>Section-6. Procedure of getting information:</p> <p>B. After the payment of selected fees, application of information should be forwarded in the printed application form by the authority.</p> <p>C. Information giving authority according to the sub-section of Ka. after getting information, within 20 days applied information will provide. It is conditional that, respective authority will charge extra fees depending on the norms of giving information.</p> <p>Gha. If responsible officer or offices is unable to or disagreed to provide information, he, mentioning, the reason of disagreement will inform the applicant within 20 days after getting application.</p>	<p>B. Subject should be included in printed form along with white paper. The amount of fees should be fixed but for education and research work no fees will be considered.</p> <p>Time should be minimized at the place of 20 days by 7 days even depending on the necessity; it must be within 24 hours. If the authority fails or disagrees to provide information, before this time period, they must inform the applicant in</p>

<p>Section-7. Procedure of giving information:</p> <p>Keeping aloft the conditions of section 8, information officer according to the rules of section 6(a) after getting any information, will provide information to the applicant as soon as possible or reject any application according to the disruption of section 8 must not sparing time more than 20 days. It is conditional that, if applied information is related with life-death or release from the prison of the applicant, considering the importance of the information, applicant or Petitioner must be supplied with information within 48 hours.</p> <p>[C]- Under this ordinance, if any informer feels it necessary to inform any recorded things or part of it to any sensitive disabled, the informer will help and show and giving away such informative action will be included as help herewith.</p> <p>[D]- If information to provided printed or any other electronically formatted way, applicant will pay fees keeping aloft the sub-section of [Cha] no.</p>	<p>black and white.</p> <p>Considering the importance of information, applicant must be provided with it within 24 hours in exchange of 48 hours.</p> <p>C. Section only the subject of the disabled has been mentioned. Aged, women and children matter are to be included herein.</p> <p>7. [D] – Named, Sub-section [Cha], no sub-section has been explained that under which section intact has not been mentioned.</p>
<p>Section-8. Release from the disclosure of information:</p> <p>Under this law, application of getting of information's might be rejected if---</p> <ol style="list-style-type: none"> For the disclosure of such information the safety of the state, sovereignty, respect, diplomacy, defense or existing relation between foreign states or organizations, etc. bear the possibility of disharmonies; or With such information, authority has the business interest or strategic scientific interest and disclosure of such information bears the possibility of losing the interest of the state; or For the disclosure of such information, economic management of the government can be hampered or any specific person or organization can be benefited or defeated; or Such information related with every person or authority's income tax, vat or excise or currency exchange or interest rate or related with the maintenance or direction of any economic organizations; or The information that is subversive of the betterment for the public. 	<p>[a.b] State –Safety, Sovereignty, respect, diplomacy, defense or existing relation with any foreign states and possibility of demarcation...Subject matters specific definitions have to be given. With the Organization' is a very doubtful and objectionable matter. Commercial or business interests with the multinational companies and managing the homogeneous interests have been mentioned. This part of the draft has to be omitted.</p> <p>c. Any specific person or organization bears the possibility to be benefited or defeated economically' will be omitted from the Draft copy.</p> <p>d. 8 [d] has to be omitted from the draft.</p> <p>Poverty effected society like Bangladesh `Subversive of public interests` means what is to be specific. In this section, release from the disclosure of information has been said but which information are to be provided that have to be mentioned elaborately and specifically. What is its outfield that must be comprehensible for the people</p>
<p>Section-9. Provide Partly information:</p> <p>With the presence of exception of section [8] of this law, applicant can be provided with partly information.</p>	<p>Providing full information rather than partial one, except what is said in section [8]- "exempt from disclosure".</p>

Section-12. Information Commission

Information Commission with the Consideration of the following committee will be appointed by the president. But at least one should be women in between the chief information commissioner or information commissioner.

[D] The members of the committee are as follows :

1. A justice of the appellate division nominated by the chief justice-who will be the chairman of the committee.
Other members are—
2. Chairman, Public Service Commission
3. Secretary, The People's Republic of Bangladesh.
4. Chairman, University Grant Commission

Chairman, Public Service Commission, Secretariat, The people's republic of Bangladesh, Chairman-University Grant Commission –These posts are considered politically elected Govt. officials. In this committee, elected representative and representative of mass media must be included.

Section-15. Officer of information commission:

Under the ordinance, to direct fruitfully of the established information commission, the Government will manage such officers that are needed. The commission will select the conditions of the jobs of officers and staffs.

Government'-this word should be omitted and 'information commissioner' should be added.

Bringing women into mainstream

International Women's Day Observed in 46 districts



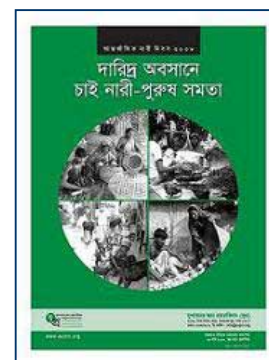
Gender Equality is a must to ending Poverty. We need to establish equal rights for women at all levels of society and bring women into mainstream- SUPRO district leaders urged while observing the International women's day on 8 March 2008. 46 districts of SUPRO network observed international women's day organizing discussion, rally and human chain. They demanded uniform family code and 30 percent reserve seat in parliament for women, access to property and decision making process.

This year's International Women's Day theme was 'Investing on women and girls'. Investment on girls is vital for grooming up future women leaders. Greater investment is necessary in that area. It is also important to create awareness among rural parents to send their daughters to schools and colleges. There needs to be setting up vocational training institutes especially for the girls.

The last twenty years have witnessed considerable development of women in Bangladesh. It has been the part of a wider social and economic development process. While poverty has decreased over the past decades, still it continues to affect women more acutely than men.

The fact is that women in Bangladesh have come across a long way in making their presence in various professions such as doctors, lawyers, journalists, engineers, teachers, researchers and NGO leaders. But, of course, their representation in parliament and other policy circles is still limited. Indeed, greater investment on women and girls can make their future brighter.

District leaders of SUPRO also demanded direct election for reserved seats in national parliament. Network members also urged to the current political regime to pay highest attention equity and social justice by bringing necessary changes in existing laws that are inherently discriminatory towards women.



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