

# 10-10-10 STATEMENT

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## **Achievements, Challenges and Goals on the 10th Anniversary of the Freedom of Information Advocates Network (FOIANet)**

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28 September 2012 marks the *10th anniversary of International Right To Know Day*, established at the founding of the *Freedom of Information Advocates Network (FOIANet) in 2002*. To mark the occasion,

FOIANet is issuing this *10-10-10 Statement*, setting out the Network's ten main achievements over the last ten years, its ten main challenges and its ten core goals for the next ten years.



## ACHIEVEMENTS

*FOIANet* and its members have achieved an enormous amount over the last ten years, of which we can be very proud. Some of our main achievements are listed below. The international right to know movement includes many diverse organisations and individuals, all of whom have contributed to these achievements. At the same time, *FOIANet* and its members claim an important role in delivering the following achievements:

### International Recognition as a Human Right

- *RTI* is now firmly recognised as an internationally guaranteed human right, with decisions at the *Inter-American Court of Human Rights* and *European Court of Human Rights*, and global recognition by the *UN Human Rights Committee*

### Rapid Increase in National Legal Recognition

- The number of national *RTI* laws has more than doubled since 2002, from 42 to 93 countries, comprising over three-quarters of the world's population, with a concomitant growth in constitutional recognition for *RTI*

### Holding the Line

- In countries around the world, attempts to scale back *RTI* legislation have been defeated

### Standard-setting

- There has been strong consolidation of standards regarding what constitutes a good *RTI* law and good implementation (for example in the form of official and *NGO* statements and standards, model laws, court decisions and development of better practices)

### Building the Network

- There are ten times as many members of *FOIANet*, from less than 20 in 2002 to over 200 today, and over 600 people sharing information on our dynamic discussion list
- We have an effective track record of sharing information and experiences, and of providing mutual support in addressing challenges and problems
- Regional networks have developed in Africa, Latin America, the Middle East and North Africa, and South Asia

### Media Interest

- There is significant engagement by the media on *RTI* in terms both of reporting on it and using it

### Increase in Capacity

- Civil society groups have developed strong capacity and expertise on *RTI* at both the national and international levels
- A similar growth in expertise has occurred in other communities, such as officials, academics and journalists

### Increase in Profile

- There have been positive developments in terms of the profile of *RTI* in many countries, including overall public awareness, use of *RTI* laws, and public debate about the issue

### Engagement of International Community

- Many bilateral donors and inter-governmental development bodies – including institutions like the *World Bank*, *UNDP* and *OSCE* – now have substantial programmes in place promoting *RTI*, while others – including the special international mandates (rapporteurs) on freedom of expression, *UNESCO* and the *COE* – have done important standard-setting and monitoring work in this area

### Openness of the International Community

- A number of *IGOs*, including most of the international financial institutions (*IFIs*), have adopted or significantly enhanced their own openness commitments



## CHALLENGES

Despite these achievements, many challenges remain, while some new ones have arisen. Some of the key challenges are:

### The Other Half

- Less than one-half of the countries in the world have adopted *RTI* laws, despite long-standing local campaigns in a number of these countries

### Implementation

- Implementation remains a significant challenge in many countries, including in the following areas: poor proactive disclosure; failure to process requests (either at all or in accordance with the rules); poor record management systems; weak oversight systems; low levels of demand; low levels of awareness

### Backlash on Exceptions

- There is a growing trend to apply some exceptions – notably national security and privacy – increasingly broadly in many countries, and some countries have adopted or are trying to adopt overbroad general secrecy laws

### Backlash Against Oversight Bodies

- In some countries, there have been attempts to undermine the effectiveness of oversight bodies – for example through reducing their independence or funding – while other countries have refused to establish such bodies in the first place

### Maintaining Momentum

- After a long period of rapid progress, it may become increasingly difficult to maintain the level of effort on *RTI* issues, for both civil society and officials

### Attacks on *RTI* Activists

- Physical attacks are being perpetrated on *RTI* activists in too many countries, while whistleblowers are too often subjected to legal or other forms of reprisal

### Funding

- Groups promoting *RTI* already face challenges in securing funds and there is a risk that the funding available for this sort of work will diminish

### Relating to Other Communities

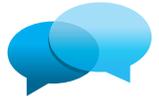
- *RTI* groups need stronger relationships with other support communities, such as IT experts who can help us build tools to enhance *RTI* and journalists who can tell positive stories about *RTI*

### Managing Growth

- *FOIANet* has expanded significantly; it needs to ensure this growth remains sustainable

### Openness of the International Community

- Serious commitments to openness by inter-governmental organisations (*IGOs*) remain very limited outside of some *IFIs*



## GOALS

Much remains to be done to realise the universal right to information. Some of the key goals for the upcoming years are listed below. As with **Achievements**, *FOIANet* and its members understand the need to work with other actors to promote the following goals:

### Legal Expansion

- Law reform leads to most countries in the world having strong *RTI* laws which are in line with international standards

### Development as a Human Right

- The full potential of recognition of *RTI* as a human right is realised, with all of the implications of this in terms of scope of the right, fees and reuse of information, and exceptions

### Advances in Implementation

- Effective efforts are made to address implementation challenges, including the culture of secrecy which still prevails within many public authorities

### Better Practices (legal and implementation)

- Research is conducted to identify better practices, in terms of both legal frameworks and implementation

### Awareness

- Effective awareness raising efforts are undertaken so that a majority of people in most countries are aware of *RTI* and how this right enables them to fulfil other rights

### Strengthening FOIANet

- There is continued and sustainable growth of the network, and stronger links are made to different communities

### Strengthening Regional Networks

- The system of regional *RTI* networks expands, these networks grow and there is increasing cross-fertilisation among them

### Support for Advocates

- *FOIANet* and its members provide effective support to *RTI* advocates globally in the form of advice, expertise, and solidarity when they come under attack

### Recognition

- *FOIANet* and its members are widely recognised as the leading sources of expertise and civil society outreach on *RTI*

### Funding

- Adequate, longer-term funding is available to *FOIANet* members, and to *FOIANet* itself to continue its work, including in terms of facilitating the work of its members