



September 29, 2009

International Right to Know Day

Ms. Marilyn Zelin, Acting Program Director, American Bar Association Rule of Law Initiative

Excellencies, Ladies and Gentlemen,

Thank you so much for joining us to mark the 7th International Freedom of Information Day and acknowledge the important work that the National Network is undertaking to make access to information a right available to all Lebanese citizens.

Let me take a few minutes to put access to information (or a2i) in context.

- The Right to Information is a fundamental human right enshrined in Article 19 of the Universal Declaration of Human Rights.
- In 1990 only 13 countries had access to information laws.
- Over the last ten years the right of access to information has been recognized by an increasing number of countries, including developing countries.
- In 2007, Jordan was the first country in the Middle East to adopt an a2i law.
- In 2009, six new access to information laws were passed—in Bangladesh; the Cayman Islands, Chile, the Cook Islands, Guatemala and Uruguay.
- Now at least 90 countries and territories all over the world have laws that give the public the right to request and receive information from public bodies.
- On April 14, 2009 the European Court of Human Rights confirmed that the right to receive information from government bodies is part of the fundamental right of freedom of expression and information and is necessary for the media, NGOs and others to play a watchdog role in holding governments accountable.

- In my own country, the United States, the Obama administration countered previous reversals on access to information and emphasized the obligation of government bodies to publish information proactively without waiting for requests from citizens.
- Proactive publication of information is a growing trend throughout the world and may well be one of the most important aspects of an a2i law. It should be noted that this concept is included in the draft law prepared by the legal working group that is pending in the Lebanese parliament.
- The United Nations Convention Against Corruption, which Lebanon ratified in October 2008, requires the adoption of access to information legislation.

While the adoption of a good law that incorporates international best practices and lessons learned, but is also tailored to the relevant circumstances, is essential, it is not sufficient.

The unfortunate truth is that many of the existing access to information laws are not doing their job. The implementation is sorely lacking.

Full implementation of Lebanon's Access to Information Law will require:

- Political will—the government and public administration must develop an implementation regime and invest the necessary resources. This includes:
 - Establishing a strong and independent oversight body
 - Training civil servants in a2i procedures
- Civil society must continue to raise the awareness of the public and support the public's right to access information. NGOs and the media must use the available information to monitor the public administration, hold elected officials accountable, and engage in informed, issue-based analysis.
- Private sector must continue to promote and lobby for citizen's access to information to achieve increased transparency and accountability, and healthier competition in the market.

The American Bar Association is honored to have been able to collaborate with the National Network for the Right of Access to Information and all the dedicated individuals who have invested so much time and effort in the Network's activities to date. I would also like to thank the ABA Lebanon staff members working on this project: Maya Najm, Senior Advisor and Program Manager, and Inas Zeineddine, Program Assistant.

The ABA hopes to continue to support efforts to enhance the rule of law and transparency in Lebanon.

Thank you.