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Analysis of Draft Sri Lankan Freedom of Information Act

The Centre for Law and Democracy today published its analysis of a draft Sri Lankan Freedom of Information Act. The draft Act was prepared by UNP Deputy Leader Karu Jayasuriya, an opposition Member of Parliament. Mr. Jayasuriya has been trying for some time, so far without success, to have this Bill introduced into Parliament. Although the draft Act is unlikely to move forward, it has generated important debate in Sri Lanka about this key human rights issue and will be discussed at a National Seminar on the right to information to be held on 18 November 2011.

“CLD is pleased that at least some politicians in Sri Lanka are trying to move the agenda forward on the right to information”, said Toby Mendel, Executive Director of the Centre for Law and Democracy. “We hope that our analysis helps promote a good debate on the issue.”

The draft Act has a number of strengths, including a broad definition of information, relatively strong procedural rules and a fairly limited regime of exceptions. It also provides for the establishment of an independent oversight body and contains a number of promotional measures.

At the same time, the draft Act could still be improved in key ways:

- The scope of public authorities covered should be expanded.
- The procedural rules should be expressed in greater detail.
- The regime for proactive publication should be made far more robust.
- The law should trump inconsistent secrecy provisions.
- The public interest override should be strengthened.
- The Commission should be given greater powers of investigation.
- A system should be put in place for record management.

The full Commentary is available at:

<http://www.law-democracy.org/?p=1473>

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