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Sindh Province, Pakistan: Right to Information Law Analysed

The Centre for Law and Democracy (CLD) is today releasing its analysis of the Sindh province of Pakistan's draft Transparency and Right to Information Act, 2016 (draft Act), prepared by the government of Sindh. CLD's Note on the draft Act reveals that it is a reasonable draft, scoring 96 out of a possible 150 points on the RTI Rating, but that much could be done to bring it more fully into line with international standards. The RTI Act currently in force in Sindh is a carbon copy of the 2002 Federal Ordinance, which languishes in the bottom 20 percent of the RTI Rating.

"We very much welcome the fact that the government of Sindh is reviewing its current, unacceptably weak, RTI law", said Toby Mendel, Executive Director of CLD. "But given the excellent laws that have been adopted in Khyber Pakhtunkhwa and Punjab provinces, we are confident that Sindh can significantly improve this draft."

Some of the key weaknesses in the draft Act are as follows:

- It has an insufficiently developed set of procedures for receiving and responding to requests.
- It includes a number of exceptions which are not recognised under international law, are too broad or lack harm tests, and the public interest override is not mandatory.
- The guarantees of the independence of the Information Commission could be improved and there is scope to increase its powers.
- There is no protection for whistleblowers.
- There is no obligation on individual public bodies to produce annual reports on what they have done to implement the law.

CLD urges the government of Sindh to introduce amendments to improve the draft Act so that the people of Sindh can benefit from comparable rights to information to those living in Khyber Pakhtunkhwa and Punjab provinces.

The RTI Rating is available at www.RTI-Rating.org. The CLD Note is available at: www.law-democracy.org/live/sindh-province-pakistan-right-to-information-law-analysed/.

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