

Bangladesh

Literature Review, Annotated Bibliography and Other Resources

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Regional Workshop
Towards More Open and Transparent Governance in South Asia
New Delhi, 27-29 April 2010

This document is a part of the background material prepared for the regional workshop “Towards More Open and Transparent Governance in South Asia” hosted by the Indian Institute of Public Administration and supported by The World Bank in New Delhi, India between April 27-29, 2010.

For more information and other documents related to the workshop:

Contact: rtiworkshop@gmail.com

Web: <http://rtiworkshop.pbworks.com>

Literature Review

This note provides a brief overview of the current status of literature written in English on Freedom of Information (FoI) in Bangladesh which is available for free in the public domain, primarily online.¹ It is hoped that this note will allow those interested in the issue to get a sense of the nature of the current debate in the country as represented by the highlighted papers, as well as an indication of the possible gaps which might benefit from further research and scholarship.

Most papers available in the public domain have been authored by only a few individuals who have been at the forefront of advocating for an FoI Act in Bangladesh for many years. With links to the media as well as legal worlds, these individuals and organisations have brought the issue of FoI to the fore within the frameworks of human rights and media freedom.

Some papers trace the history of the growth in the demand for an FoI regime in Bangladesh, within a comparative regional framework, as well as in the context of the growing role of non-governmental organisations (NGOs) in Bangladesh over the last several decades. (Law Commission, 2003; Anam, 2009). Other papers provide comments and recommendations on the Draft Right to Information Ordinance which is an important element in gaining a historical perspective on the evolution of the process leading up to the enactment of the current Right to Information Act of 2009 (Article 19 et al, 2008). A historical perspective especially within the context of the growth of transparency laws across the world and their links to anti-corruption has also been provided (Iftekharuzzaman, 2009).

With the enactment of the Right to Information Act 2009 in Bangladesh, challenges of implementation have become an important point of debate. Some papers have focused on these emerging issues with a view to strengthen the FoI regime in the country even as it evolves from its yet nascent stage (Anam, 2009; Iftekharuzzaman, 2009). A rich description enriched by regional experiences in implementation is also available through the proceedings of a conference (RTI Forum, 2009). However, even as implementation issues are being debated in the country, strong criticism of the new law has also seen the light of day, especially with regard to the limitations of the institutional mechanisms of implementation (Kabir, 2009).

In sum, a lively debate on the importance of an effective FoI regime and the best ways to achieve it continue to take place in the country. While academic or quasi-academic debates seem to be lacking, sections of civil society, as well as the media have taken a deep interest in the issue. As the law is new, reports which will analyse its usage will no doubt emerge in the coming years. At the same time, despite the law being in place for just under a year, very little material in terms of the documentation of any case studies was found. However, with the formation of the Right to Information Forum which brings together a wide cross-section of stakeholders associated with FoI in Bangladesh, the coming period promises to keep the debate around effective implementation alive and vibrant in the country.

¹ This note has been prepared by Prashant Sharma as part of the background material for participants of the regional workshop “Towards More Open and Transparent Governance in South Asia” hosted by the Indian Institute of Public Administration and supported by The World Bank in New Delhi, India between April 27-29, 2010. It complements the country papers on FoI in Bangladesh authored by Tahmina Rahman and Shaheen Anam. The author of this note is currently conducting doctoral research at the London School of Economics on the politics of reform with a special reference to Right to Information in India. He was also deeply associated with the nationwide RTI assessment study in India conducted by the RTI Assessment and Analysis Group (RaaG).

Annotated Bibliography of Key Resources

Please note that all the documents referred to in this section have been provided in the flash drive given to all participants.²

Final Report on the Proposed Right to Information Act, 200----

2003, August

Law Commission - Bangladesh

Available at: <http://tinyurl.com/yh7hx7a>

The report provides a government perspective on the legal-historical context and background within which the demand for an FoI regime in Bangladesh has evolved, as well as discusses the key features of a draft law which was under discussion at that point.

Submission on the (Draft) Right to Information Ordinance 2008 of Bangladesh

2008, March

Article 19, Global Campaign for Freedom of Expression, Shushashoner Jonno Procharavijan (SUPRO), Mass Line Media (MMC) and Bangladesh NGOs Network for Radio and Communication (BNNRC)

Available at: <http://tinyurl.com/yabmo6h>

This paper provides an analysis of the Draft Right to Information Ordinance which had been made public by the government in 2008. It compares the Draft Ordinance against international standards and makes recommendations for its improvement.

People's Right to Information: Hypocrisy Thy Name is Government

2009, May

Kabir, Nurul (Five part series published in *New Age* in May 2009)

Available at: Part I: <http://tinyurl.com/yzpoj9r>
Part II: <http://tinyurl.com/ylopnja>
Part III: <http://tinyurl.com/yldtf48>
Part IV: <http://tinyurl.com/yzrqyvji>
Part V: <http://tinyurl.com/ykvhg33>

This article, which appeared a series in a leading English language daily of Bangladesh a few months after the enactment of the now current Right to Information Act of 2009, critiques the law and the implementation mechanisms contained therein, and provides an important counter view to the perspective that a new freedom of information age has now dawned in Bangladesh as a result of the enactment of this Act.

² Links provided in this section correct on 10 March 2010.

Freedom to Know

2009, June

Anam, Shaheen (Published in Volume 3 Issue 6 of *The Daily Star* in June 2009)

Available at: <http://tinyurl.com/yb3bn55>

This article which was published in a leading English daily newspaper of the country gives a brief analysis of the way similar laws have evolved and are being implemented in other countries of the region. It then goes on to analyse the Right to Information Act of 2009 and provides pointers to its implications for Bangladesh, as well as the challenges of the future.

Implementing Right to Information in Bangladesh: Opportunities and Challenges

2009, June

Iftexharuzzaman

Available at: <http://tinyurl.com/yd8j8y9>

Perhaps the most comprehensive of the papers written so far, the document traces the history of the evolution of the FoI regime in Bangladesh, including international and regional influences, as well as goes on to identify the opportunities and challenges that lie ahead for Bangladesh in this context, with the enactment of the Right to Information Act of 2009.

Sharing Power with People - Proceedings of the conference on Right to Information: Law, Institution and Citizens

2009, July

Right to Information Forum, Bangladesh

Available at: <http://tinyurl.com/y96atpb>

The proceedings of an international conference with a focus on the challenges of implementing the Right to Information Law 2009 of Bangladesh, this document provides a rich perspective from civil society, government as well as regional and international luminaries associated with FoI. Issues discussed in the conference include the role of the courts and judiciary, challenges of implementation especially in rural areas, effective record management, and transforming cultures of secrecy.

Select Media Resources

Road to RTI

The Daily Star, 29 March 2010

<http://tinyurl.com/yhdwp87>

Carrying forward the RTI

The Daily Star, 23 February 2010

<http://tinyurl.com/yk5age5>

Right to information: Status of implementation

The Daily Star, 23 February 2010

<http://tinyurl.com/yhvlcds>

Full implementation of Right to Information Act demanded

New Age, 23 October 2009

<http://tinyurl.com/yephjlq>

Unlocking the Power of Information

The Star, 26 June 2009

<http://tinyurl.com/y8w57hl> (PDF file)

<http://tinyurl.com/ycmovr6>

Click on the links below to search for news reports related to Freedom of Information in Bangladesh.

The Daily Star

<http://tinyurl.com/yhssgs5>

New Age

<http://tinyurl.com/yjpjb4c>

The Bangladesh Today

<http://tinyurl.com/yfxrjk9>

The Daily Independent

<http://tinyurl.com/yfja4ph>

Other Resources

Ain o Salish Kendra (ASK)

<http://www.askbd.org>

Bangladesh NGOs Network for Radio and Communication (BNNRC)

<http://www.bnnrc.net>

Manusher Jonno Foundation

<http://www.manusher.org>

Transparency International, Bangladesh

<http://www.ti-bangladesh.org>
