

**A Synopsis Report**  
**on**  
**Right to Information in Changed Context: Challenges and Opportunities**  
**(A policy discussion organized in the April 25 post-earthquake context in Nepal)**

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## **Background:**

Nepal witnessed a huge loss of lives and destruction of properties in the recent earthquakes – the major one striking the country on April 25. The government and other public agencies plus foreign countries and individuals concentrated their efforts for the rescue, relief, rehabilitation, resettlement, and the reconstruction process. The rescue and relief distribution have been nearly over and the initiatives for the temporary settlement and reconstruction are underway. Before the nature's wraths, the States' capacity to respond disaster remained feeble. Despite tremendous efforts of the public bodies, there was noticeable gap between the State and the citizen. The survivors of the earthquakes felt the absence of the State agencies to get relief assistance. From the very basic need of food to a safe shelter, they had to wait for long. At this agonized moment and cry for justice, the flow/relay of information – of any as rescue efforts, relief distribution – was obviously inadequate. While some media were making objective reporting producing drudgery and causing misery and shock on the viewers and listeners, the citizens/victims on the other hand remained desperate to have the information on the their immediate needs- food, shelter, money the government or any organization provides. Moreover, they were/are not aware as what are the government policies and decisions, who bring relief materials, where is it distributed, how much is their entitlement, whether they can request more or not. Similarly, many victims are so innocent that the money they got as immediate relief needs to be returned so, they don't want it. In view of all these, an urgent need of management of crisis information is realized in Nepal which could help cater justice to the victims promptly and minimize gaps between state and citizens.

With this in the background, Freedom Forum organized a policy discussion on June 1, 2015 bringing together the people from different sectors – government officials (policy making), civil society organizations, RTI activists (watchdog), National Information Commission (policy shaping), academia, RTI experts, media persons and researchers. The program was " RTI in the Changed Context: Challenges and Opportunities". The aim of the program was to generate ideas on how the RTI could be contextualizing at present circumstances, so that the government activities could make more effective, citizens' access to their entitlements could be easier, RTI campaign itself could reach the people in the village and the officials in the public agencies and help the widening gap between the people and the State.

## **Key Deliberations:**

Views from the diverse sectors at the program:

### **Civil Society:**

- It is appropriate time to incorporate information and communications perspectives as a part and parcel of the Post Disaster Need Assessment being developed by the government.
- Protection of sensitive data and information of public importance during critical time is equally significant. The government oversight bodies should be vigilant on concealing of sensitive data and information in the pretext of earthquake.
- Radio could be a part of relief package to the victims in the remote area for information which we realized with the experience on the spot. Information however should be purified while broadcasting.
- Vibrant communication should necessary be developed between government and the people.
- National Information Commission (NIC) needs to initiate develop a mechanism to disseminate information after collecting the matter from government-declared 14 most earthquake affected districts every day.
- We are realizing the need of prompt communication and maximum disclosure of information during the disaster. Prior information is necessary for the victim people. We are not only in the post disaster but also in pre-disaster (monsoon) period. So, the government must disseminate information proactively. NIC may order the government to this purpose.
- In the post-disaster, women are relatively backward on getting information. Media Advocacy Group is going to establish Information Centers in three worst suffering districts – Gorkha, Sindhupalchowk and Nuwakot especially for woman but it is not limited to them. Information Centers are for relaying information from local to center authorities and local people on post-quake services.
- Flow of information is slow in the post disaster situation. There was the disruption of information flow due to inefficiency on part of the State during the much-needed hour. "It is the moment when only government mechanism should flow information as a reliable and authentic source. The breakdown of information dissemination put people in panicky and frustrating situation."
- Bureaucracy must be strong in the disaster but Nepal's bureaucracy was very weak to provide information to the needy people. Already established infrastructures were not utilized in the disaster situation in the country. It is necessary to robust national level information mechanisms. Ministry of Information and Communication remained dormant during the disaster.

- A pre-disaster information management system must be established at Office of Prime Minister and Council of Ministers so that information on disaster can be flowed on time. We have already fault line mapping but where is information about this? Why is information hidden? Why the authority didn't prepare intensity map of the country to find out the condition of land ravaged by the disaster?
- Information is needed on which basis people are getting relief – right-based, policy-based or charity based? RTI can be used on these areas. RTI at present should be linked to right to life, right to food and right to health. These components should be associated with relief. "Information must be provided in fast track way at present circumstances."
- In the absence of proper dissemination of disaster related information the image of the State has been portrayed negatively. "No rights of the citizens should be suspended in crisis. Legal mechanism enabled with information is a must for crisis management."
- "Government at present is dead busy and in the name of hectic time, the officers are ignoring RTI." Civil society and media must be watchful on RTI on knowing government's works on relief, rehabilitation, resettlement, reconstruction for the transparency in these activities. RTI campaigners should advocate for helping communication in current situation.
- Now, Internet access should be a fundamental right. Technology should be equally ensured to regulate communication.
- The transparency groups including RTI advocates and Open Data champions should work together to establish some candid evidences of transparent flow and spending of public money working with 'Follow the Money' Approach.
- The proactive disclosure of disaster related data should be made the part of RTI laws in a specific manner. It is the subject of consideration while making amendments to RTI law in future.

### **Research:**

- The government should open up life-saving demographic data and information and work with open data approach in re-building and re-construction phase. Exact data on any village is not quickly available in open format.
- The government should prepare the data of actual household, actual pregnant and victims. The government will face big problem on monsoon if it doesn't collect the true information of the devastated districts.

## **Media:**

- When we visited the earthquake-affected districts as Nuwakot and Dhading, many people complained of not getting any relief materials. But the following day after the reporting on radio program, immediate relief package was taken by the government led by Army to these people. Government should activate postal service to ensure better information all over the country at such situation.
- The problem in the relief distribution was surfaced also because of not having elected local body.
- Information itself is a kind of relief at present circumstances. So, factual and timely flow of information must be ensured. RTI campaign can be more vibrant now.
- Every day, the government bodies need to provide information at local level, and to each community. People are seeking information about the partly damaged houses. But there was none to provide information on time.
- Nowadays, the situation is 'no communication in the community'. Why the government does not provide internet service free to the people in this situation for certain period because everyone want to be updated? Why the government didn't disseminate information about the date and location of relief distribution at local level? NIC must be active to prod every government agency to disseminate information on daily basis.

## **Academia:**

- Crisis Communication didn't function during the disaster. Nepal belittled the crisis communication. Government seemed ineffective to rule out rumors. Crisis Communication should be prioritized in the National Disaster Authority being mooted by the government
- Why did/doesn't the government seek suggestions from the experts while devising crisis management policy and management? If the crisis information is missed in such policy, it will be another disaster to the country.

## **Policy Makers:**

- There was full absence of government as blamed by private sector and individuals during the crisis. It has been operating numerous call centres to hear people's grievances.
- It is not time to widen the space between government and civil society. The Ministry is preparing an emergency information plan.
- Government also takes information from the media. Role of media remained very informative during the crisis. It is necessary to make government run tele-centres effective.

- It is very important suggestion to the government about the crisis information strategy. We have also commitment towards effective implementation of RTI law.
- It is not true that the bureaucracy didn't work but it is true that the mechanism didn't disseminate true information. We can use the technology to disseminate information from the 14 most affected districts.
- There is no psychology and interest for bureaucracy to hide information. Information is not effectively proactive in 14 districts in the current situation. Civil society can play the vital role to make the government task of 4R more transparent and accountable.
- The Postal Service Department is ready to accept any responsibility the government assigns to it. The Director General of the Department was suggested to transform district post offices of 22 districts as the information centers and disseminate day to day information of aggregated activities from the office.
- I don't believe that the government did very little in the disaster to inform people and provide them relief assistance. The OPMCM has itself shifted the office due to the earthquake.
- As the budget is being curtailed for the office operation in the coming fiscal year, it may be difficult for the government offices to help in the RTI practicing and promotion.
- OPMCM is disclosing information proactively though government despite limited expertise, skill, equipment and experience to face this type of disaster.
- Some media made very negative comments on the government activities. Government is also learning lesson from the disaster. I admit the government has not made the information flow technology based.

### **State Agency:**

- The National Information Commission (NIC) is ready to accept suggestion furnished by this program and forward to the government as recommendation for effectiveness of RTI law. "Civic mechanism should also be put in place to assist the dissemination of information."
- True information is important in disaster period. It is necessary to disseminate true information about Prime Minister Disaster Relief Fund (PMDR) and must have people's access to such information.
- The NIC also suggests government to provide responsibility to district postal offices for RTI monitoring.

### **Technology/Innovation:**

- Crowd sourcing of information is necessary for prompt flow of information. Civil society can play the role of timely relay of information through crowd sourcing. Government can make postal offices technically updated.
- Earlier, as many as 63 civil society organization including Freedom Forum had submitted a memorandum to the NIC on how the RTI could be best utilized on rescue, relief, rehabilitation and reconstruction after the earthquake.

### **Conclusion:**

The program highlighted the need of the vibrant role of civil society organizations in enabling information collection and dissemination works. It remained very fruitful to make aware the government officers, who are the policy makers and shapers, of the problems the disaster victims were facing. They were also prodded on how the information could be made a focal point any policies as in the disaster management. The weaknesses of the State agencies were revealed and suggestions furnished how the timely information could do justice to the disaster victims. It was stressed in the program that the government must include the management of crisis information in the policy and mechanism the government was forming to cope with post-disaster adversity. Similarly, the civil society came to the point that the relevance of the RTI was growing more in the post-disaster situation to ensure equal and just distribution of relief materials to the earthquake victims. Similarly, they the RTI campaign could be reinvigorated to hold the public agencies transparent and accountable to the people. In the name of disaster, the government cannot ignore the importance of the RTI, the civil society stressed.

## **Key Speakers:**

*Babita Basnet, Chairperson, Media Advocacy Group*

*Binaya Kasajoo, Ex-Chief Information Commissioner, NIC*

*Dharmendra Jha, Senior Journalist and General Secretary, Freedom Forum*

*Drona Pokharel, Director-General, Postal Service Department*

*Gyanu Adhikari, Open Development Advisor, Open Nepal*

*Hasta Gurung, Executive Director, Centre for Investigative Journalism (CIJ)*

*Kiran Pokharel, Commissioner, National Information Commission*

*Krishna Sapkota, Executive Director, Freedom Forum*

*Pavitra Rana, Coordinator, Open Nepal*

*Dr Ram Krishna Timalsina, RTI Expert*

*Dr Sudhamshu Dahal, Associate Professor, School of Arts, Kathmandu University*

*Tanka Aryal, Executive Director, CCRI*

*Taranath Dahal, Chairperson, Freedom Forum and CCRI*