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INTERNATIONAL ACCESS TO INFORMATION DAY

SUMMARY

This item has been included in the provisional agenda of the 197th session of the Executive Board at the request of Angola, Morocco and Nigeria.

The corresponding explanatory note together with a draft decision is attached hereto.

Action expected of the Executive Board: decision proposed in paragraph 12.

EXPLANATORY NOTE

I. INTRODUCTION

1. The universal right to information is essential for societies to function democratically and for the well-being of each individual. Freedom of information or the right to information is an integral part of the fundamental right to freedom of expression. It is established as a right in Article 19 of the Universal Declaration of Human Rights of 1966, which stipulates that the fundamental right to freedom of expression encompasses the freedom “to seek, receive and impart information and ideas through any media and regardless of frontiers”.

2. Realizing the importance of the right to information worldwide – based on the declaration of the African Platform on Access to Information of September 2011, which enjoyed the participation of several governmental and parliamentary bodies, regional and international professional organizations and civil society partners – the Africa Group defends the initiative of the establishment, by UNESCO, of 28 September as “International Access to Information Day”.

II. JUSTIFICATION FOR AN INTERNATIONAL DAY DEDICATED TO THE RIGHT TO INFORMATION

3. An open and transparent government is a fundamental component of a democratic and developed State. As stipulated by the declaration of the African Platform on Access to Information: “... access to information (ATI) is the right of all natural and legal persons, which consists of the right to seek, access and receive information from public bodies and private bodies performing a public function and the duty of the State to prove such information”.

4. Despite the fundamental importance of this right in the facilitation of all other rights and the creation of a fair and equitable society, there are still countries that do not have national legislation on access to information as a specific expression of the law.

5. People around the world are increasingly demanding greater civil participation in public affairs and seeking transparency. In this context, international law targeting an access to information day is necessary to promote the right to information. The establishment of a specific date provides a coherent message at the international level and facilitates coordination of joint initiatives on public awareness and elucidation by organizations in the coherence of a universally recognized day.

6. While the promotion of information and transparency is clearly an ongoing activity throughout the year, a day marked by collaboration is important for advocacy, thus giving a consolidated message on the need for greater access to information so as to raise public awareness.

III. DESIGNATION OF THE DATE OF 28 SEPTEMBER

7. The date of 28 September was chosen as a day to raise awareness on the importance of the right to information throughout the world. Since its establishment, the historical significance and the profound influence of the annual celebration have marked 28 September as one of the most important dates in the calendars of freedom of information advocates worldwide.

8. The day was originally proposed as the “Right to Know Day” in Sofia, Bulgaria, where a number of freedom of expression advocates from 15 countries gathered to promote the transparency and accountability of governments during a conference held from 26 to 28 September 2002. The countries participating at the event were Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Georgia, Hungary, India, Latvia, the former Yugoslav Republic of Macedonia, Mexico, Republic of Moldova, Romania, Slovakia, South Africa and the United States

of America. The event led to the establishment of an international coalition of lawyers, known as the freedom of information lawyers network, which has agreed to undertake international initiatives to improve the standards of access to information worldwide. It was also agreed that the closing day of the conference, 28 September, should be designated as the Right to Know Day and celebrated as such each year.

9. The importance of this day in Africa was also officially recognized by Resolution 222 of the African Commission on Human and Peoples' Rights at its 50th ordinary session. The date of 28 September is currently vacant on the calendar of events of the United Nations and UNESCO.

IV. HOW THE CELEBRATION WILL TAKE PLACE

10. There is already a strong association of organizations currently working in the field of access to information. This strong association of organizations regularly coordinates series of activities on access to information. The proclamation of the Day will nonetheless draw greater attention to the issue of the right to information and its fundamental importance for human existence. The day will also give greater authority, visibility and acknowledgement to the issue of access to information and will make sure that it is taken more seriously by the stakeholders concerned, particularly national governments.

11. The date of 28 September is already marked by a series of activities, including conferences, workshops, marches, concerts, publications on access to information and petitions calling on governments to adopt and implement laws on access to information. These targeted and widespread activities, regularly held on an officially recognized day, will ensure that the day of 28 September is used to engage and educate citizens and public authorities as to the importance of access to information as a fundamental human right and also to take advantage of raising public awareness for its importance, particularly through access to information interventions through media literacy.

V. DRAFT DECISION

12. After discussing this item, the Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

1. Recalling that freedom of information or the right to information is an integral part of the fundamental right to freedom of expression, as recognized by Resolution 59 of the United Nations General Assembly adopted in 1946, and Article 19 of the Universal Declaration of Human Rights (1948),
2. Also recalling that freedom of information is also central in the context of the World Summit on the Information Society (WSIS), which reaffirmed freedom of expression and universal access to information as cornerstones of inclusive knowledge societies,
3. Bearing in mind the efforts of UNESCO to highlight the relevance and importance of the right to information in the Brisbane Declaration on "Freedom of Information: the Right to Know" (2010), the Maputo Declaration on "Freedom of Expression, Access to Information and Empowerment of People" (2008), and the Dakar Declaration on "Media and Good Governance", among others,
4. Taking note of the declaration by the African Platform on Access to Information, adopted at the Pan-African Conference on Access to Information, organized by the Windhoek+20 Campaign on Access to Information in Africa in partnership with UNESCO, the African Union Commission (AUC) and the Special Rapporteur on

Freedom of Expression and Access to Information in Africa, in Cape Town, South Africa, from 17 to 19 September, 2011,

5. Also taking note of UNESCO's call, through its General Conference, proclaiming 28 September as "International Right to Information Day", as a day to raise awareness of the importance of access to information throughout the world,
6. Considering that several civil society organizations and government bodies in the world have adopted and currently celebrate 28 September as "International Right to Know Day",
7. Approves the principles established in the declaration by the African Platform on Access to Information and recognizes that these principles are essential to development, democracy, equality and the delivery of public services;
8. Recommends that the General Conference:
9. Adopt 28 September as "International Access to Information Day";
10. Invite all Member States, United Nations system organizations, and other international and regional organizations, as well as civil society, including non-governmental organizations and individuals, to celebrate the Day in a manner which each considers most appropriate and without financial implications for the regular budget of UNESCO;
11. Requests the Director-General to bring the resolution adopted on the issue by the General Conference to the attention of the United Nations Secretary-General so that "International Access to Information Day" may be endorsed by the General Assembly.