

Freedom of Information Bill, 2008

Analysis and Recommendations

Submitted To:

**Ministry of Information and Broadcasting
&
Ministry of Law, Justice and Human Rights
Government of Pakistan**

By

CRCP
CONSUMER RIGHTS COMMISSION
OF PAKISTAN

**July 21, 2008
Islamabad**

Freedom of Information Bill, 2008 Analysis and Recommendations

1. Background

Consumer Rights Commission of Pakistan (CRCP) submitted its preliminary comments on Freedom of Information Bill, 2008 to the Ministry of Information and Broadcasting and Ministry of Law, Justice and Human Rights on July 3, 2008. In follow-up, CRCP organized a consultation on “Freedom of Information Bill 2008: Analysis and Recommendations” in Islamabad on July 14, 2008. Representatives of civil society organizations working on freedom of information (FOI) and human rights, academia, and media participated in the consultation. The main objectives of the consultation were to review and analyze the FOI Bill 2008 in comparison with current FOI laws; debate the strengths and weakness of the Bill; collect and collate the feedback of key stakeholders; and develop proposals for improvement of the Bill keeping in view the universal principles of FOI and ground realities in the national context. Ms. Sherry Rehman, Federal Minister for Information and Broadcasting, and the Member In-charge of the FOI Bill 2008 was invited to chair the consultation, but she could not attend it as she was out of country.

This consultation was unique in the sense that it brought together national and international perspectives on the Bill. CRCP shared its preliminary comments with participants of the consultation to solicit their feedback and recommendations. This was followed by discussion on the Bill by speakers from Centre for Civic Education (CCE) and Centre for Peace and Development Initiative (CPDI). Transparency International–Pakistan, and Human Rights Commission of Pakistan (HRCP) were also invited, but they could not make it for some reasons. However, Transparency International–Pakistan sent its written comments on the Bill, which were shared with participants of the consultation.

In addition to national experts, CRCP had solicited comments of prominent international experts from Article 19 (UK), The Campaign for Freedom of Information (UK), Commonwealth Human Rights Initiative (India), Transparency International (Pakistan Chapter), and Mr. Rick Snell of University of Tasmania (Australia). Apart from general comments on the Bill, the experts were asked to give their opinions on five important moot points, and the response was then shared with participants of the consultation. David Banisar from Privacy International, who conducts international survey on FOI, was a speaker at the consultation.

The recommendations made in this document to improve the FOI Bill 2008 are based on CRCP’s preliminary comments submitted to the Ministry of Information and Broadcasting and Ministry of Law, Justice and Human Rights on July 3, 2008; recommendations made by speakers and participants of the consultation; and comments sent by international experts. CRCP is very thankful to the organizations and experts who contributed their inputs, oral and written, for formulation of these recommendations. We are hopeful that these recommendations will receive serious consideration by the

concerned quarters and will be optimally incorporated in the FOI Bill 2008 before its submission to the parliament for debate.

2. Existing FOI Laws and FOI Bill 2008

Recognition of FOI as a legal right of people has had been a daunting challenge in Pakistan. From the initial steps to have FOI legislation in the 1990s to the development of FOI policies for selected government departments in 2008, Pakistan has made significant progress on this front with contributions from civil society organizations, parliamentarians, the government and other stakeholders.¹ The major breakthrough was Freedom of Information Ordinance, which was promulgated in 2002 for fulfillment of the policy actions committed by the government under Access to Justice Program. This law received a plethora of criticism from the civil society for its limited scope because it applied to the federal public bodies only, long list of vaguely defined exemptions, cumbersome mechanism for processing of information requests, poor implementation, and so on. Despite the criticism, information requests filed under this law to the federal ministries and attached departments were successful to a large extent, though not without intervention of the Federal Ombudsman in most of the cases.

In addition to the civic initiatives of awareness, capacity building, and advocacy for improvement of FOI legislation, a number of important legislative developments have taken place since the promulgation of the Ordinance. These include enactment of Balochistan Freedom of Information Act (2005), Sindh Freedom of Information Act (2006), and development of departmental FOI policies for Establishment Division and its attached departments, Services and General Administration Departments (S&GADs), and police departments.²

A parallel development took place with the initiative of Ms. Sherry Rehman of Pakistan Peoples Party (PPP) who proposed FOI Bill in 2004. The underlying motivation was to repeal the Freedom of Information Ordinance, 2002, and enact a national FOI law with lot of improvements including the whistleblower protection. The Bill was submitted to the National Assembly as a private member bill, but it could not be debated. In the aftermath of PPP coming into power, Ms. Sherry Rehman (Federal Minister for Information) has proposed Freedom of Information Bill 2008, which is basically a modified version of the 2004 Bill. It is expected that the Bill would be tabled in the Parliament very soon.

3. Analysis of FOI Bill 2008 and Recommendations

CRCP appreciates that FOI Bill 2008 contains a number of improvements, as compared to the existing FOI laws in Pakistan. National jurisdiction due to coverage of public bodies at the federal, provincial, and local level; improvements in definitions of the terms of ‘public record’ and ‘public body’; opening of notes and correspondence for public

¹ Analysis of historical developments in FOI in Pakistan is provided in Access to Justice Program’s ‘Freedom of Information in Government Departments: An Assessment’. June 2007. Islamabad.

² The formulation of these FOI policies under Access to Justice Program is in process.

access; additions in the list of public records to be published and made available by public bodies for public access; provision for recording reasons for exclusion and classification of record; disclosure of classified records after 20 years, over-riding powers; and reduction of the processing time from 21 days to 14 days are some of the noted strengths of the Bill, as compared to the existing FOI laws.

There are some areas where the Bill needs improvements. In the following paragraphs, a critical analysis of the FOI Bill 2008 is presented along with recommendations for improvements.

Page 9, Statement of Objects and Reasons

The Statement of Objects and Reasons of the FOI Bill 2008 refers to the Freedom of Information Ordinance, 2002 and terms it as “one of the nightmares of the despotic rule of strangulation of information and denial of fundamental rights to the people of Pakistan” and that it “served as a suppressor and blocker of the information hand has thus failed to achieve its declared objectives”.

CRCP believes that the language of the Statement of Objects and Reasons is inappropriate and emotive. The Bill’s reference to the FOI Ordinance, 2002, is based on unexamined assumptions and factually incorrect statements. There is convincing evidence available to suggest that, despite several shortcomings and deficiencies, the Ordinance has been used to access information from government departments, though only with proactive role of the Federal Ombudsman. Information requests filed by CRCP and other civil society organizations provide the best example. There is hardly any known case where the Ordinance has been used to suppress or block the information. This is not to say that the Ordinance is perfect; its deficiencies and shortcomings are well recognized.

Recommendation

The Statement of Objects and Reasons should not give a factually incorrect statement that the law has served as suppressor and blocker of information. Instead, it should refer to the well recognized deficiencies and shortcomings of the Ordinance as a reason for enacting the FOI Bill 2008.

Section 2 Definitions

Section 2 (a) The term “complainant” has been defined as “a requester or any person acting for and on behalf of a requester.”

This definition is restrictive, as it tends to exclude legal entities and voluntary associations to act on behalf of the requester. A designated official is likely to interpret this definition in its narrow sense to apply only to the individuals, and thus create problems in establishing the *locus standi* of research institutions, associations, non-governmental organizations, etc in access to public records.

Recommendations

- i. After the word “person”, “a legal entity and voluntary association” should be added.
- ii. The grounds on which a complaint may be made should also include (1) refusal of the designated official to receive and process information requests, and (2) furnishing of false or incomplete information.

Section 2 (b) The term “complaint” was defined more clearly in the 2004 FOI Bill, as it entitled the requester to complain where “access to and/ or correction of information relating to him has been wrongfully denied to a requester by a public body having custody or control of the record” [Section 2 (b) ii of FOI Bill 2004]. Thus, it explicitly covered the right to complain against wrongful denial to personal information. This clause has been replaced in the FOI Bill 2008 with the following: “access to the requisite documents, information or record has been wrongfully denied to a requester by a public body having custody or control of the record”. This substitution does not expressly mention the right of complaint where access to personal information has been denied. The purpose that this clause serves is already covered in Section 2 (b) i, and as such there is duplication.

Recommendation

Section 2 (b) ii of the FOI Bill 2008 should be replaced with Section 2 (b) ii of FOI Bill 2004 to explicitly guarantee the right to file a complaint where access to personal information has been wrongfully denied.

Section 2 (d) Definition of the term “information” has been added in the FOI Bill 2008; this term was not defined in FOI Bill 2004. The Bill, however, is not clear, as it uses the terms “records” and “information” interchangeably, and therefore, creates confusion. For instance, it suggests that requested records are ‘information’ except where the records are exempt. Thus, it tends to exempt the non-exempt information which is contained within an exempt record.

Recommendations

- i. The right of access and exemptions should both be defined in terms of “information”, and not records; OR
- ii. If the Bill defines the right of access in terms of records, as it does in its present form, then clause 2(d) should clearly state that where records contain both exempt and non-exempt information, the non-exempt information must be disclosed.

Section 2 (e) The term “Mohtasib” is defined as the Federal Ombudsman. It means that complaints under this law could be filed to the Federal Ombudsman or

Freedom of Information Bill, 2008: Analysis and Recommendations

Federal Tax Ombudsman, after failing to get a satisfactory response on complaint filed with head of the public body.

Recommendation

The Bill ignores the limitations on powers of the Federal Ombudsman. This issue has been dealt at length in Section 19 at pages 11 and 12 below.

Section 2 (i) The term “public record” has been dealt at length. There are some clauses that tend to restrict the definition, and therefore, need to be modified.

Clause i (i) It enumerates forms of public records that can be accessed. Although it mentions any form of public record, but enumerates six forms map, diagram, photograph, film, video, and microfilm. A narrow interpretation of this clause may exclude some other forums such as audio cassettes and electronic information.

Recommendations

- i. ‘Electronic information’ should explicitly be added in the types of records mentioned in this clause.
- ii. Therefore, the word “etc.” should be added at the end of the clause.

Clause i (v) This clause has a typographical mistake.

Recommendation

The word “my” before the words “benefit or advantage” should be replaced with “any”.

Clause i (vi) This clause excludes “ all internal working documents of a public body, including proposals for Cabinet decisions, proposals relating to management of the national economy, and other affairs of the Government, till such time that a final decision has been taken and implemented by the public body”

This clause highly restricts the definition of public records. By implication, it means that information related to any matter on which the final decision has not yet been made can be withheld. Thus, access to proposals that might have immediate and vital effects on the public can be denied. For instance, if there is a proposal to increase the power tariff by 20 percent, a government official can easily turn down the request for access to this proposal. As a result, public participation and informed policy debate would be precluded on important matters at the proposal stage.

This clause ties the disclosure of internal working documents to two conditions: (1) final decision has been taken, AND (2) the decision has

been implemented. The second reason makes no sense, as it might take years to implement a decision. One must have the right to ask about the progress in implementation of a decision even at the initial stage. If “implementation” is a condition for disclosure, then one cannot access much information about public sector development program (PSDP) under this law.

Recommendation

This clause should be deleted. International working documents and final decisions should be open to public access without any condition of implementation.

Clause i (b)(i) It exempts the information related to “investigative reports undertaken by agencies for the prevention and detection of crime, and for the collection and assessment of taxes, including any information obtained or received in the course of any investigation”.

Recommendation

The phrase “and for the collection and assessment of taxes” is out-of-context and should be deleted.

Section 2 (i) The public bodies have a lot of discretion to judge whether or not certain document is a public record. Although the Bill provides that reasons shall be given for exclusion of certain record, but it is silent on whether these reasons shall be available for public scrutiny. As a result, a designated official might record any reasons and declare that the record has been classified.

Recommendation

The definition of ‘public record’ should also include: (1) the reasons for exclusion and classification of a certain record, (2) the guidelines for government officials to classify a document titled as “Security of Classified Matter in Government Departments”.

Section 2 (j) The term “public body” has been elaborated to cover federal, provincial as well as local government entities, statutory corporations, courts, tribunals, commissions, etc. The Bill does not apply to the private sector entities even those involved in delivery of public services such as health, education, insurance, banks, etc. A citizen must have the right to access information about the public services being provided by a private company. For example, a person who has contracted a disease due to poor quality of bottled water for which he paid high price, he must have the right to ask about the arrangements made by the company to comply with safety standards, or to ask about the laboratory test results of the brand undertaken by the company.

Another example is that a bank customer is not entitled under the rules of State Bank of Pakistan to access his/her Credit Worthiness Report, but other banks and financial institutions can. This means that personal information of a customer is accessible to a third party, but not to the individual itself. Such practices infringe upon the right of individuals to access information.

Recommendations

- i. The law should be applicable to those private sector companies that are involved in delivery of public services and where larger public interest is involved. Initially, the private sector entities providing financial services, health and education should be brought directly under the ambit of FOI law.
- ii. Given that extension of the law to private sector involves commercial interests, the government should consider to enact a comprehensive FOI law for private sector exclusively.

Terms not Defined

The Bill does not define the term “requester”. It does not describe who can submit an information request for access to records; only citizens of Pakistan or any individual or any legal entity? In Section 12, however, it lays down that “any citizen of Pakistan” may make an application This provision is restrictive, and does not recognize the right to access information as a fundamental human right.

Recommendation

The Bill should clearly state that any person or legal entity can make an application for information.

Section 4 Maintenance and Indexing of Records

The Bill provides for maintenance and indexing of records in the title of Section 4, but in the description, it does not oblige the public bodies to do indexing.

Recommendations

- i. The word “and indexed” should be added at the end of the article.
- ii. The Section should mandate the public bodies, at least to the federal and provincial public bodies and district governments, to make their index available on websites and ensure availability of resources for maintenance and indexing within 3 years of the enforcement of the law.
- iii. The Bill should explicitly require the public bodies to develop an action plan for maintenance, indexing and computerization of records within one year of the law coming into force.

Section 5 Publication and Availability of Records

The Section specifies the public records that shall be proactively disclosed and made available for public access. This list does not mention the Year Books/Annual Reports to be published by each division under Section 25 (2) of the Rules of Business of Government of Pakistan. Similarly, provincial departments and some local government bodies are also obliged to develop performance reports on annual basis under the law. Most of the public bodies, however, do not publish these reports.

Recommendation

This Section should also include Year Books/Annual Reports in the list of documents to be published and made available for public access.

Section 9 Duty to Assist Requesters

This Section requires a public body to “take necessary steps as may be prescribed to assist any requester under this Act”. Thus, the government may or may not prescribe any steps; there is no binding force.

Recommendations

- i. The words may be should be replaced with shall be. Or,
- ii. The Bill should create a general duty to take reasonable steps to assist the requesters. A public body should have the obligation to assist whether any steps are prescribed or not.

Section 11 Functions of designated official

This Section obliges the designated official to provide the information contained in any public record, or a copy of such record.

Recommendations

The law is silent on a situation where the requisite information does not belong to the public body where the request has been made. It should be the duty of the designated official to (1) re-route the information request to the concerned department, and (2) intimate the requester that the information does not belong to the department, and therefore, has been transferred to the concerned department.

Section 12 Application for Obtaining Information, etc.

The Bill does not propose any improvement in the application procedure. There are two main issues in the Freedom of Information Rules, 2004: (1) The procedure for deposit of prescribed fee is complex and troublesome, (2) Photocopying charges of Rs.5 per page are too high as compared to the market rates. The proposed Bill does not address these issues.

Recommendations

- i. The Bill should provide for multiple and convenient options for submission of application forms. The Bill should clearly mention that (1) applications submitted electronically shall be acceptable, and (2) applications submitted through fax shall be acceptable.
- ii. In the first five years, information should be provided free of cost in order to encourage the people to use the law. After this period, reasonable charges for reproduction of public records may be levied, but in no case, these should exceed the market rates.
- iii. Compensation should be provided to the applicant if he/she suffers from demonstrable loss or harm as a result of wrongful denial or unnecessary delay in provision of information.
- iv. The Bill does not adequately protect the information belonging to third parties. It should require the designated officials to invite objections from third parties when a request for such information is received.

Sections 14-18, 8, 2 (i) (vi) Exclusion and Exemption of Certain Records

The exclusions and exemptions have been described in different places and do not give a clear picture. An ordinary reader finds it difficult to differentiate between exclusions and exemptions.

Recommendations

- i. There should be a single list of exclusions and exemptions in the law. An ordinary reader should be able to easily identify:
 - a. the records and information that cannot be accessed, as these are already excluded from the definition of public record under this law;
 - b. the records and information that are not excluded from the definition of public record under this law, but it is the prerogative of the public body to judge whether access should be provided or not
 - c. the records and information that cannot be accessed now, but will be accessible after 20 years;
 - d. the records and information that shall not be declared public record even after the passage of 20 years
- ii. According to the universal principles of FOI, the overall presumption should be in favor of disclosure. Therefore, the Bill should clearly state in Section 5 that “all information shall be open for public access except those

listed in Section [number of the Section should be given; all exemptions and exclusions should be put together in one article]

- iii. The Bill does not contain any public interest test to determine ‘public record’ where its disclosure ‘is recognized to be detrimental to the public interest’ (clause vi (f) of the definition of public record). Similarly, a test to determine the ‘legitimate interest’ of the public (vi of the definition of public record) has to be provided in the Bill; otherwise, the discretionary space available to public bodies to classify a document is likely to be misused greatly thus defeating the whole objective of the law. A public interest test is always useful to determine whether the public interest in withholding the information outweighs the public interest in disclosure.
- iv. Harm test should be included in the case of all exemptions. Information should be exempt only if the harm likely to be caused by disclosure is greater than its benefits for the public. Particularly, harm test is needed for defense related information.

Section 19 Recourse to the Mohtasib and Federal Tax Ombudsman and the Judiciary

- a. According to the Bill, complaints can be lodged to the Federal Ombudsman appointed under President’s Order No. 1 of 1983, after failing to get a satisfactory response from head of the public body. The Bill appears to be ignorant of the jurisdiction of the Federal Ombudsman who can entertain complaints related to the federal public bodies only.³ As the 2008 FOI Bill covers the federal as well as the provincial and municipal public bodies, recourse to the Federal Ombudsman only is not a legal option. The Federal Ombudsman cannot process the complaints related to maladministration in provincial and local government departments.

Recommendation

- i. The Bill should resolve the anomaly of powers of the Ombudsman to deal with complaints. This anomaly needs to be removed.
- ii. If recourse is provided to the office of Ombudsman, then Ombudsmen will need to be established at the district level as well, as provided in the Local Government Ordinance, 2001.
- iii. The Ombudsman can only make recommendations and have not powers to get its recommendations enforced. The relevant laws should be amended to provide for binding orders of the Ombudsman as far as FOI is concerned.

³ Section 2 (1) of President’s Order No. 1 of 1983.

Freedom of Information Bill, 2008: Analysis and Recommendations

- iv. Information Commissioners should be established as soon as possible. However, the Ombudsman should be given powers to entertain complaints as an interim arrangement till the establishment of Information Commissioners.
- b. It is not clear in the Bill whether the Mohtasib or judiciary can review the use of exemptions.

Recommendation

The Bill must clearly state that these legal forums shall have the power to review a public body's decision to refuse a request on the grounds that the record is not a 'public record', or that the particular information is excluded from the definition of 'public record'.

- c. The time for processing of information request might take longer than the stipulated time because the designated officer is authorized to turn down the application for even a minor omission in the particulars.

Recommendation

Time should be reduced for response in case the application form is incomplete. A designated official should scrutinize the application on receiving it and intimate the requester within one week if (1) the application is incomplete, and (2) the requested record is already excluded from the definition of public record and no internal deliberations are required to decide whether or not the record is public record. For this purpose, a standard proforma can be used to intimate the requester.

- d. The Bill does not specify a time for the Principal Officer or head of the body to respond to the complaint filed by a requester. Thus, head of the concerned public body may take even months to respond to the complaint.

Recommendation

The Bill should prescribe maximum 10 days for the response to the complaint by head of the public body concerned.

- e. Where the designated official is head of the public body because no other official has been designated, there would be a conflict of interest in case a complaint is made to the public body under this law. The official who turned down the request will have to deal with the complaint as well. It is against the principles of justice.

Recommendation

The Bill should clearly state that, where a requester wishes to file a complaint against head of the public body who is also the designated official, the complaint shall be directly made to the Ombudsman (or any other legal forum independent of the public body).

Section 20 Dismissal of Frivolous, Vexatious and Malicious Complaints

This Section imposes fine on requesters if the request is found frivolous, vexatious and malicious. It is very easy to treat an information request as such. Therefore, imposition of fine is likely to intimidate the requesters not to file a complaint.

Recommendations

This Section should be deleted from the Bill, as dismissal of the complaint should be sufficient deterrence.

Section 23 Indemnity

This Section indemnifies government officials for anything done in “good faith and in reasonable belief that the information was substantially true and within the parameters of this Act”. One problem with this provision is that the government official can be deemed to have exercised the ‘good faith’ even where she/he acted honestly, but has committed negligence.⁴ By implication, the applicant cannot pursue the matter on the basis of negligence, as a tort action, even where she/he has suffered loss or harm due to the government official’s failure to exercise proper attention. Thus, the provision of good faith, as is given in the FOI Bill 2008, protects the government officials against even those harms and losses which an applicant can incur due to a negligent act of the government official.

Recommendations

- i. Good faith clause should distinguish between acts done honestly, and acts done negligently. Provisions of indemnity should not be applied where an applicant has suffered loss or harm due to negligence of the government official under the FOI law.
- ii. If an applicant feels that a government official has, without lawful excuse, committed a wrong against him or her, the government official must be tried before a court of law and an appropriate relief provided to the applicant. As far as indemnity is concerned, Article 212 (1)(b) of the 1973 Constitution of Pakistan provides for establishment of specialized tribunals which shall adjudicate upon disputes between civil servants’ and citizens. Unfortunately, such administrative tribunals have not been established, and citizens are effectively denied a legal remedy. The government must establish these tribunals without further delay.

Section 24 Act to Over-ride other laws

The provisions of this Act shall over-ride, anything contained in any other law, for the time being in force. The way overriding powers have been defined entails serious legal complications, as it will affect many laws as well as rules of business of the government.

⁴ The definition of ‘good faith’ is provided by section 27, General Clauses Act 1956.

Recommendation

This provision should be re-phrased to state that this law will over-ride other laws to the extent of inconsistency of their provisions with this law.

Section 25 Repeal

It appears that the Bill has been drafted without an in-depth analysis of the existing legal and institutional framework for FOI in Pakistan. The Bill does not refer to the two provincial FOI laws, i.e. Balochistan Freedom of Information Act (2005) and Sindh Freedom of Information Act (2006). These laws are almost replica of the FOI Ordinance, 2002. The FOI Bill 2008 repeals the FOI Ordinance, 2002, but does not even slightly touch upon these two provincial laws. It is silent about what would happen to these laws after enactment of the Bill.⁵

Recommendation

The FOI Bill should provide for repeal of the provincial FOI laws, in addition to the FOI Ordinance, 2002.

Whistleblowers' Protection

In FOI Bill 2004, Section 23 dealt with whistleblowers' protection, whereas in FOI Bill 2008, this provision has been taken out. This indicates that the interplay of political forces and vested interests have taken over the larger public interest of transparency and elimination of corruption from the government departments.

Recommendations

- i. Whistleblower protection must be added to the FOI Bill 2008.

⁵ Important documents that can be consulted for in-depth analysis of the legal framework for FOI in Pakistan are as follows:

- a. FOI Ordinance(2002)
- b. Balochistan Freedom of Information Act (2005)
- c. Sindh Freedom of Information Act (2006)
- d. Rules for FOI Ordinance and Balochistan Freedom of Information Act
- e. Local Government Ordinance (2001) [Sections 18, 57, 76, 42 (7), 69 (7) 89 (6), and 114]
- f. Model Freedom of Information Act (2001) proposed by CRCP
- g. The Official Secrets Act (1923)
- h. The Evidence Act (1984)
- i. Rules of Business of the Federal and Provincial Governments
- j. Cabinet Division's rules for "Security of Classified Matter in Government Departments"
- k. Assessment of FOI in Government Departments done under Access to Justice Program of the Ministry of Law
- l. Draft FOI policies of government departments

Freedom of Information Bill, 2008: Analysis and Recommendations

- ii. Some countries have comprehensive whistleblowers protection laws. Learning from these countries, Pakistan may have a new law dedicated to whistleblowers protection, but in this case, the government must give a timeframe within which the law shall be enacted with consultation of all stakeholders.

Public Awareness Campaign

The Bill does not make any provision for public awareness on FOI law. Our experience indicates that unless citizens are informed about the existing of a law and benefits of its use, the laws remain underutilized. Existing FOI laws are a case in point.

Recommendation

The Bill should mandate the Ministry of Information and Broadcasting to run a nation-wide campaign for public awareness on FOI. The Ministry should translate the law and rules into simple and easy-to-understand Urdu and local languages. In addition, the Ministry should build capacities of the designated officials to deal with information requests.

Enclosures:

1. Background note and agenda of the consultation on “Freedom of Information Bill 2008: Analysis and Recommendations”
2. Comments of The Campaign for Freedom of Information, UK
3. Comments of Commonwealth Human Rights Initiative (CHRI), India
4. Comments of Transparency International, Pakistan
5. Presentation by David Banisar from Privacy International, UK