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இலங்கை தகவலறியும் உரிமைக்கான ஆணைக்குழு
RIGHT TO INFORMATION COMMISSION OF SRI LANKA

STATEMENT BY RIGHT TO INFORMATION COMMISSION ON FIRST PUBLIC SITTING & APPEAL HEARING IN AMPARA

Media Statement: 5th February 2019

As Sri Lanka marks two years of operationalization of the Right to Information Act, No. 12 of 2016 on 3rd February 2019, the Right to Information Commission (RTIC) is pleased to announce the commencement of public sittings and the hearing of appeals in Sri Lanka's provinces.

On 19th of January 2019, the RTIC held its first public sitting and hearing of appeals in Panama, Ampara in the Eastern Province attended by the Government Agent, Ampara, Divisional Secretaries of Lahugala, Siyambalanduwa, Damana and Pothuvil along with their officers as well as large numbers of community activists in the province. The sessions were addressed by the Chairman, Commissioners, the Director General as well as the Government Agent, Divisional Secretaries and community activists.

The discussions that were conducted in Sinhala and Tamil focused on the successes and challenges of the RTI process with villagers explaining how they had used the RTI Act to obtain relief for their communities. Obstacles to the obtaining of information such as delays in government offices, bureaucratic processes and hostile attitudes of some officials were also discussed in detail. The RTIC thereafter held appeal hearings in the province, concluding those appeals to the satisfaction of the parties.

The RTIC also held a soft launch of two trilingual publications of the Commission accessible on the website of the Commission (www.rticommission.lk). Volume One contains Orders of the Commission delivered during 2017-2018 with several significant principles, keywords and an Index of a broader range of Decisions. In delivering these Orders, the Commission has endeavored to maintain principles of equity between the Public Authority and the appellant while taking into consideration the fact that the greater weight of resources and power lies with the State rather than with an individual citizen. Volume Two contains Reflections on Sri Lanka's RTI Act and RTI regime written by eminent contributors in the fields of law, media, the public service and academia.

With Ampara being the first province selected to conduct a public sitting of the Commission, the next districts targeted for consequent public sittings and appeal sessions are Hatton and Angunukolapelessa to be held in the coming months. Selection of the districts has been with a view to targeting marginalised/isolated/war affected communities in Sri Lanka in order that citizens who have not yet been exposed to RTI will be able to understand the benefits of using the Act. The discussions have been planned in order that the RTIC acts as a facilitator in opening up dialogues between communities and government officers in regard to a co-operative and harmonious process in using the RTI Act.

In the first public Statement of this Commission issued on 10th February 2017, we noted that despite human resource and financial constraints, the Commission was 'committed to building a strong, independent and impartial operation with the expertise and capacity of its members and staff to support all seekers and providers of public information.' This is a promise that we have attempted to stay true to during these past two years, notwithstanding considerable difficulties.

As at 31st December 2018, the Commission had 1030 appeals before it, out of which 654 appeals had been concluded. In the remainder of pending appeals, interim orders had been issued by the Commission in the majority of cases, releasing information in stages. As the Commission has been conscious of the need to enunciate RTI principles in the initial years of functioning, its decisions overwhelmingly reflect pro-public interest and information disclosure principles. An overriding factor has been the consideration of the public interest which the Commission is statutorily mandated to take into account.

While the slow transformation of an 'information-closed' culture to an 'information-open' culture has been initiated, challenges remain. The duty to give information proactively needs to be manifested far more diligently by Public Authorities. Furthermore, the enactment of new laws that are deliberately placed beyond the scrutiny of the Right to Information regime remains of particular concern. Nevertheless, an encouraging factor is the support and interest of ordinary citizens from every part of the land who have exercised their 'Right to Information' with commendable enthusiasm during the period in review.

In the interests of further development of the RTI culture through an Act which was fourteen long years in the making in Sri Lanka, we hope that these positive trends will continue.

Issued on Order of the RTI Commission

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