**Global Monitoring / SDG indicator 16.10.2**

**Model Template assisting responses by Member States on the progress as regards SDG Indicator 16.10.2 - Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information.**

Note this template will be accompanied by a technical guide for completion of the questionnaire. That guide will elaborate:

1. The underlying rationale – the utility and benefits of why Member States should seek to respond to the questions; the voluntary nature of the process; the aim of developing benchmarks against which change can be tracked; and the systematic identification of points where improvements can be made such as in terms of implementation;
2. Internationally agreed terms and definitions.[[1]](#footnote-1) For example: the interpretation in terms of “guarantees” in this template of the terms “Access to information” (ATI), “Right to information” (RTI), and “Freedom of Information” (FOI) (which, for the particular level and purposes of this research, are used as interchangeable terms); (iii) Constitution (iv) Policy (v) (National) law (vi) (National) plan (vii) mechanism (institution and procedures), (viii) independence. (Responding countries will be requested to indicate if they use different definitions).
3. Reporting: That the responses will likely be combined with other data sources (which sources for example assess adoption issues, as distinct from *this questionnaire where the main focus is on implementation*). That this linking of data will be done in a transparent manner, and resulting reports made public along with data disaggregation options.
4. How information will be contextualized in the resulting global report, as data collected here may indicate different things. (eg. Low number of requests may indicate that there is so much proactive information available, that citizens do not need to use ATI/RTI/FOI laws to secure disclosure – or, alternatively, that very few people know about their legal right to do so or have no confidence in trying to use it). What is sought in this template is simply that Member States indicate if they collect data on numbers of ATI/RTI/FOI requests (and refusals) as a way of measuring the implementation of their RTI instruments; how they – or others - such information is a distinct and context-dependent parameter).
5. The role of the UNESCO Institute of Statistics in ensuring methodological quality of indicators, the data-aggregation and analysis processes, capacity-building and standard-setting.

**Section 1: Institutional: Whether laws/plans/ policies/strategies exist, and have monitoring and evaluation and independent oversight components**

This section seeks information on the adoption of laws, policies, etc, and existence of mechanisms for monitoring and implementing

**Country: \_\_\_\_\_\_(***Insert name of country here***)\_\_\_\_\_\_\_\_\_**

* **Is there national mechanism that monitors the Member State’s progress towards the SDGs ? Yes No**

If so, does it include progress on SDG 16.10.2 (access to information)? Yes No

If so, which is the line / lead agency responsible for monitoring progress on 16.10. 2? (e.g. information commissioner, national statistics agency, etc): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* **Do existing national laws, policies, plans and strategies have guarantees that contribute to SDG 16.10.2 (access to information)? Yes No**

If so, specify which instruments you have:

* National vision documents *Insert title of document here:*
* National development plan or sustainable development strategy *Insert title of document here:*
* Sectoral policies, strategies, plans and programmes *Insert title of document here:*
* Legislation (including constitutional guarantees) *Insert name of law/number constitutional article here:*
* Local government and sub-national development plans? *Insert title of relevant plans here:*
* **Regarding any national law, plan, policy or strategy on access to information (especially RTI/FOI/ATI)[[2]](#footnote-2), i*s/are there mechanism/s with oversight for implementation*? Yes No**

If so, name of the body/ies[[3]](#footnote-3):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If so, are there appeals and/or redress mechanisms? Yes No

If so, are there these institutionally independent? Yes No

**Section 2: Systemic performance: awareness, responsiveness, accountability**

This section seeks information on promotion, awareness raising, efficiency, reporting:

|  |
| --- |
| **Implementation systems that support effective disclosure** |
| 1. **Has a guide, or other information material, been disseminated to citizens explaining how to make an information request under the relevant ATI/RTI/FOI dispensation?**   *Yes (Please provide link to the guide/information materials:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)*  *No (Are you planning to produce any? \_\_\_\_\_\_\_\_\_\_\_\_ If so, when will it be available? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)* |
| 1. **Number of total requests under any RTI/FOI/ATI law as made to public authorities in period – fiscal year or other annual cycle (please provide gender-disaggregated information if possible)[[4]](#footnote-4)**   *Example:*  *A number of X requests was received in the period X,*  *Of which X came from women* |
| 1. **Number of requests granted (please provide gender-disaggregated information if possible)**   *Example: x number of requests were answered,*  *Y number of which 30% came from women* |
| 1. **Does the government produce an annual report on the implementation of a RTI/FOI/ATI law or other policy about access to information?**   *Yes (Please provide link to the publication:*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)  *No (Are you planning to produce one? \_\_\_\_\_\_\_\_\_\_\_\_ If so, when will it be available? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)* |

**Section 3: Aspirational: gaps, challenges and planned actions**

This section seeks information on gaps and challenges, and planned initiatives to address these

|  |  |  |  |
| --- | --- | --- | --- |
| *In past two year period, gaps and challenges have been identified, and what measures have been put in place or are planned to promote RTI law/policy – such as measures that are regulatory, policy, budgetary, training, awareness-raising?* | | | |
| ***Sample gaps*** | **Evidence of gap** | **Actor(s) and stakeholders implicated?** | **Possible solutions: when, how, who.** |
| For example specific shortfalls in:   1. Release of information 2. Proactive release/disclosure 3. Culture of official secrecy 4. Information on women’s rights, 5. Regulatory   independent redress mechanism |  |  |  |
| *Other…* |  |  |  |
| **Sample of planned initiatives** | **Sample activities** | **Actor(s) and stakeholders?** | **Expected Outcome(s)** |
| *Xxxxxx* |  |  |  |
| *Of which: gender-specific measures* |  |  |  |
| *Other…* |  |  |  |

**Annex 1 – UNESCO’s Media Development Indicators (MDI) on RTI**

1.2 THE RIGHT TO INFORMATION IS GUARANTEED IN LAW AND RESPECTED IN PRACTICE

◆ national law or constitutional guarantee on the right to information

◆ country has signed and ratified relevant treaty obligations, with no significant exemptions

◆ public is aware of and exercises right to access official information

◆ public bodies release information both pro-actively and on demand

◆ effective and efficient appeals mechanism via independent administrative body e.g. information commissioner or ombudsman

◆ any restriction on grounds of protection of personal privacy is narrowly defined so as to exclude information in which there is no justifiable public interest.

Means of verification

— Any law or policy on right to information that accords with international standards

— Reports from credible agencies about right to information guarantees

— Policies of public bodies concerning release of information

— Evidence of state commitment to open government e.g. publication and dissemination of court decisions, parliamentary proceedings, spending programmes

— Statistical information about public requests for official information and their fulfilment or rejection

— Statistical information about appeals or complaints over information requests that have been refused

1. For example, drawing from: UIS working definition (LF17) for its media statistics survey; IPDC approved Media Development Indicators (See Annexe 1); UNECE <https://www.unece.org/fileadmin/DAM/env/pp/Publications/Aarhus_Implementation_Guide_interactive_eng.pdf> ; UNDP (<http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/access-to-information-practice-note/A2I_PN_English.pdf> [↑](#footnote-ref-1)
2. Right to Information (RTI), Freedom of Information (FOI), Access to Information (ATI) are different ways of naming instruments on the issue of access to information. Although there may be conceptual differences among these terms, this questionnaire is using them indistinctively as generic terms to cover particular aspects of relevance to SDG 16.10.2. [↑](#footnote-ref-2)
3. For example, e.g., information commission/ers, ombudsperson, other mechanisms. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)