

## **Access to Information in Times of Crisis: Theme of 2020 International Day for Universal Access to Information Announced amid COVID-19 Pandemic**

Amid the global COVID-19 pandemic, UNESCO has announced “access to information in times of crisis” as the theme of the 2020 edition of the International Day for Universal Access to Information (IDUAI), celebrated every year on 28 September.

Commemorated around the slogan **“Access to Information – Saving lives, Building Trust, Bringing Hope!”**, the event will contribute to the exchange of good practices and guidelines on the right to access information. It will highlight the key role of access to information in saving lives and mitigating the impact of crises such as the current pandemic, as well as in shaping sustainable policies.

In many countries, people have learned that access to accurate and timely information can be a matter of life and death. Access to information also makes it possible for citizens to follow responses to the crisis, such as confinement rules, regulations of travel and schooling, virus testing, medical equipment supplies, and economic aid or stimulus packages.

The celebration of 28 September 2020 will serve as an opportunity to call on Member States to enact and fully implement Right to Access to Information laws, by showing their unique value in times of crisis.

The 2020 edition of IDUAI will be the first commemoration of the International Day since its proclamation at UN level by the 74<sup>th</sup> UN General Assembly. Prior to this, IDUAI had been proclaimed by UNESCO’s General Conference in 2015.

In view of the current health measures in place, several events planned around the world will be held online. An international conference is also being planned in Tashkent, with the support of the Government of Uzbekistan. Additional information on the dates of the international conference will be announced later this year.

*To inform the worldwide commemorations this year, UNESCO reiterates five fundamental points relevant to the right to access information amid the COVID-19 outbreak.*

### **Legal guarantees of Access to Information**

To date, 127 countries have adopted access to information laws. The 2030 Agenda for Sustainable Development and the Universal Periodic Review, a unique United Nations process involving the continuous assessment of the human rights records of all 193 UN Member States, both underline the importance of having such legislation in place.

These laws can help empower citizens and hold duty-bearers accountable in times of crisis, when accountability systems such as courts, parliaments and town councils, are operating in a more limited way, and yet critical decisions about health, economy and human rights are being made.

### **International Standards**

The COVID-19 crisis has impacted activities and resource allocation in many fields, including access to information. However, while responses to requests for information may experience some delays due to the crisis, state authorities have an obligation to afford maximum transparency, and have a direct interest in doing so.

In terms of international standards, any restriction on access to official information, including the suspension of specific legal clauses, must be allowed by law, have a legitimate aim, be necessary and proportionate to the aim of protecting public health. It must also be limited to the duration of the crisis. This means that any limitations or restrictions should be justified.

### **Access to Information implementation and procedures**

During the COVID-19 pandemic, information requests should be processed free of charge, and priority should be given to requests for information on health issues and other aspects of the crisis. The UN has emphasized that information accessibility is a key component of the right to health. When officials fail to publish health information proactively, or to respond to information requests, populations suffer adverse health impacts and cannot fully enjoy their right to health.

Information Commissions and similar Access to Information bodies, which oversee access to information legislation should be supported during this period, so they can continue to operate

during lockdown. In cases where staff continues to work from offices, they should be provided with the necessary protection. The role of these institutions is critical, as they ensure that citizens are kept informed, which in turn helps to strengthen social cohesion and reduce the spread of rumours and misinformation.

### **Proactive disclosure**

State institutions can display leadership and build trust in times of crisis, by proactively and comprehensively disclosing information, including relevant statistics. This is of fundamental interest to citizens who are looking for reassurance and clarity. Being informed builds the feeling of belonging. Proactively publishing health information is also key to ensuring the safety and health of everyone, including persons with disabilities and vulnerable populations. Such disclosure should also include efforts to provide information in local languages and in accessible formats, through the use of accessible technologies.

### **Privacy**

Individuals' right to privacy can be affected by digital data collection and processing. In developing solutions to address crises, state institutions and regulators should do their utmost to balance the right to privacy and the right to information when there is a potential conflict between them.