

Concept Note
for the Celebration of the International Day for
Universal Access to Information (IDUAI)
2021

Date: 28 and 29 September 2021,
Place: Online

THE RIGHT TO KNOW



Building Back Better with Access to Information

28 SEPTEMBER • International Day
for Universal Access to Information 2021

#AccessToInfoDay
#RightToKnow



Executive summary:

The theme of the 2021 International Day for Universal Access to Information (IDUAI)¹ is The Right to Know – Building Back Better with Access to Information. It will highlight the importance of expanding access to information laws, and their implementation worldwide to build back strong institutions for sustainable development and to uphold the vision of information as a public good, as well as to strengthen international cooperation in the field of implementing the right to information as a fundamental right. Furthermore, the global discussions on “building back better” remain context adaptive to the COVID-19 pandemic.

The main objective of the International Day for Universal Access to Information 2021 will be to accelerate sustainable solutions aimed at reaching SDG 16 target 10 (as measured by indicator 2, on public access to information), by mobilizing governments, civil society and people to take ownership and contribute to the achievement of this sustainable development goal, particularly in regards to building effective, accountable and inclusive institutions at all levels. The International Day for Universal Access to Information will focus on the following sub-themes:

- The contribution of access to information laws to the achievement of sustainable development goals, and more specifically of indicator SDG 16.10.2 on public access to information;
- The importance of efficient and independent oversight bodies and of legal frameworks to guarantee implementation of right to information and right to information laws;
- Strengthening the implementation of the right to information by addressing relevant recommendations in the Universal Periodic Review;

Implementing access to information laws by leveraging digital technologies for peace and sustainable development. The IDUAI 2021 will be held online on 28 and 29 of September 2021. A series of five panels/webinars will be organized virtually, and close to 15 national and regional celebrations will be held across the world. Processes will be launched towards activities to be rolled out in the build-up to IDUAI 2022.

Slogan: The Right to Know – Building Back Better with Access to Information

Organizer: UNESCO;

Date: 28 and 29 September 2021;

Venue: Online.

¹ Recognizing the significance of access to information, the 74th UN General Assembly proclaimed 28 September as the International Day for Universal Access to Information at the UN level in October 2019. Prior to this, the International Day had been proclaimed by the UNESCO General Conference in 2015.

The aims of the IDUAI 2021 celebrations:

- Promoting access to information laws and their implementation to build back better and improve the resilience of society to uncertainty and times of crisis;
- Identifying trends in the field of access to information regulatory frameworks, with regards to implementation and oversight mechanisms, data privacy, open data and the impact of digitalization;
- Highlighting the importance of international cooperation in the field of access to information for the environment, health, and human rights, including by way of international and intergovernmental reporting on access to information laws and its implementation such as the UNESCO monitoring of SDG 16.10.2 and the Universal Periodic Review (UPR);
- Launching the start of global consultations for a Declaration to be adopted at IDUA in 2022 in support of access to information as an important driver for sustainable development.
- Engagement of stakeholders in updating the [UNESCO Policy Guidelines for the Development and Promotion of Governmental Public Domain Information](#)².

The IDUAI 2021 celebrations theme, modalities and panels in brief:

The two-day Global Commemorative e-Conference will be held online on 28 and 29 of September 2021.

Thematic discussions will feature representatives from the Aarhus Convention Secretariat, Article 19, the International Conference of Information Commissioners, the Council of Europe, the International Federation of Library Associations and Institutions (IFLA), Open Government Partnership (OGP), Transparency International, the World Bank, and more (see Annex 1 and 2).

The theme of the 2021 International Day for Universal Access to Information is The Right to Know – Building Back Better with Access to Information. The overall design of the theme is based on the recognition that well-crafted Access to Information legislation and its rigorous implementation promotes sustainable development as well as democracy and human rights. It will target policy makers to promote the mobilization of resources to implement laws through independent, transparent and accountable institutions, established to support and expand public good. It will also target professional organizations and civil society to advocate for the existence of and implementation of access to information laws.

The importance of access to information to protect and promote fundamental freedoms and rights has been endorsed in many international key documents and by intergovernmental organizations and mechanisms. The UN Committee on Economic, Social and Cultural Rights, which monitors the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), has emphasized

² Policy Guidelines for the Development and Promotion of Governmental Public Domain Information / prepared by Paul F. Uhliir. - Paris: UNESCO, 2004. (CI-2004/WS/5)

information accessibility as a key component of all rights, including the right to health, environment and human rights³.

SDG 16 under the 2030 Agenda for Sustainable Development expressly makes a connection between the right to access information and fundamental freedoms. This is evident in the SDG indicator 16.10.2, but its integration in the global goals also indicates that access to information is a prerequisite for achieving sustainable development in general. For example, access to quality information is a crucial means for improving access to healthcare and water by empowering people with knowledge to assess services, enabling stakeholders to hold governments and companies accountable for delivery.

UNESCO has been designated as the custodian agency for monitoring and reporting on SDG Indicator 16.10.2 on public access to information across the world, and the Organization advocates for the adoption of Access to Information laws in all its Member States. While some 127 UN Member States have adopted various Access to Information laws⁴, states that have not adopted such guarantees are urged to take the necessary steps to adopt such laws to support and uphold the vision of information as a public good, as was called for in the [Windhoek +30 Declaration](#), and which call for increased efforts among all stakeholders towards achieving societies' sustainable development with reliable, quality and independent information at its core.

Where adopted, access to information laws play an essential role to uphold and protect the public's right to information, especially in situations of uncertainty when the demand for information is high. However, in countries where such laws are inadequate or limited, various aspects of their implementation are delayed and governments fall short in responding proactively to information requests. There may also be instances of inadequacy in terms of transparency. These issues will be addressed during this year's International Day of Universal Access to Information, and best practices and new approaches put forward.

The discussions held on the occasion of the International Day of Universal Access to Information 2020 demonstrated that during the COVID-19 pandemic, the public sought information on key issues pertaining to their safety and well-being. The COVID-19 pandemic indeed highlighted the importance of access to reliable information for the public good, but also its role in responding to emergencies. An actionable compilation of lessons learned during the pandemic in the field of Access to Information laws and implementation is another important result expected from the International Day of Universal Access to Information 2021.

Last but not least, the International Day of Universal Access to Information will highlight the importance of international cooperation in the field of access to information for the

³ The Right to Health Fact Sheet No. 31, see <https://www.ohchr.org/documents/publications/factsheet31.pdf>

⁴From promise to practice: access to information for sustainable development;2020 UNESCO report on the monitoring and reporting of SDG indicator 16.10.2 (Public access to information), see <https://unesdoc.unesco.org/ark:/48223/pf0000375022>

environment, health, and human rights, especially in the context of regional legal instruments as well as UN mechanisms of monitoring human rights and Sustainable Development Goal 16 and its target 10.2.

To discuss the **Right to Know – Building Back Better with Access to Information** and its various aspects, the following subthemes are relevant to the International Day of Universal Access to Information 2021.

- The first subtheme to be discussed, in cooperation with the Freedom of Information Advocates Network (FOIANet), relates to the **trends of access to information laws in the 21 century**, such as the importance of institutional capacity development, growing demand for policies aimed to practice proactive disclosure, and the role of digital technologies and related regulation. In particular, the subtheme will focus on recently adopted regional legal instruments, such as the Council of Europe’s Convention on Access to Official Information⁵ and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean⁶ as well as the Aarhus Convention⁷. Points to discuss include: the evolving political and cultural environment of the right to know in the post-traditional media world; New Access to Information challenges: from administrative bodies to all branches of power and private bodies; Intergovernmental Organizations and Access to Information international standards; and Disinformation and the right to information.

- A second subtheme to be addressed, together with the International Conference of Information Commissioners, is **the importance of independence and efficiency of oversight bodies and of legal frameworks, and the ways of strengthening these institutions**. The subtheme will look at methods of managing appeals to information requests, enforcing compliance with access to Information guarantees and raising awareness. The COVID-19 pandemic has shown that these institutions play an important role to oversee the right to information, where a number of countries have been experiencing challenges regarding the reliability, accuracy and completeness of information about the pandemic. Points to discuss include: Protecting and promoting access to public information by specialized bodies, and related legal frameworks; Defining oversight: independence, accountability, professionalism; Choosing the best model for implementation and oversight of access to information laws; and Transparency and proactive disclosure as key elements of Access to Information laws.

- The third subtheme will be dedicated to the implementation of access to information laws by **leveraging digital technologies for peace and sustainable**

⁵ Council of Europe Convention on Access to Official Documents, see <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/205>

⁶ Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, see <https://www.cepal.org/en/publications/43583-regional-agreement-access-information-public-participation-and-justice>

⁷ Aarhus Convention, see <https://ec.europa.eu/environment/aarhus/>

development, in cooperation with the Open Government Partnership. Good practices, where public access to information and data has served to foster public trust and evidence-based policy formulation, will be looked at as well as the World Bank report “Data for Better Lives”⁸ and the Open Government Partnership plan “Open Response + Open Recovery”⁹. The importance of ensuring open access to data for the public good, strengthening transparency and accountability and safeguarding against misuse of open data, will be reiterated. Points to discuss include: Digitalization and access to information; The broadening of e-Government processes; The surge of data and data-intensive research; Inclusion and cross-border data flows; and Results of SDG 16.10.2 survey on the implementation of Access to Information laws in 106 countries.

- The fourth subtheme will focus on the **recommendations made during the three recent sessions of the Universal Periodic Review (UPR)** to improve access to information regulation in the Member States. The Office of the United Nations High Commissioner for Human Rights will participate in the discussion on this subtheme, and share best practices, key lessons and insights on how Access to Information can serve the UPR process, as well as how the UPR mechanism in turn can enhance the right to information. The discussions will summarize relevant information that will benefit all stakeholders and help them strengthen recommendations on access to information in upcoming UPR cycles. The recent 2021 UNESCO publication *The Universal Periodic Review and its potential to foster freedom of expression, access to information and safety of journalists*¹⁰ will also be presented and discussed. Points to discuss include: Streamlining Access to Information in the Universal Periodic Review; Linking Access to Information and other thematic recommendations in the UPR reports; Implementing UPR recommendations at national level - lessons learned; and How to better target recommendations based on Access to Information?

- Finally, regional specificities on implementing the right to information¹¹, namely in Latin America and the Caribbean, the Arab States, Africa, and Asia and the Pacific, will be highlighted in e-sessions, drawing on the presentation of regional reports to be drafted by experts and virtual events to be organized in cooperation with the UNESCO field offices and key stakeholders. The regional reports and virtual events will be coordinated by the UNESCO Field Offices in Windhoek, Namibia (Africa), Montevideo, Uruguay (Latin America and the Caribbean); New Delhi, India

⁸ *World Development Report 2021: Data for Better Lives*, see <https://www.worldbank.org/en/publication/wdr2021>

⁹ *Open Response + Open Recovery* by the Open Government Partnership, see <https://www.opengovpartnership.org/campaigns/open-response-open-recovery/>

¹⁰ *The Universal Periodic Review and its potential to foster freedom of expression, access to information and safety of journalists: guidelines for United Nations Country Teams*, see <https://unesdoc.unesco.org/ark:/48223/pf0000377808.locale=en>

¹¹ *From promise to practice: access to information for sustainable development*; 2020 UNESCO report on the monitoring and reporting of SDG indicator 16.10.2 (Public access to information), see <https://unesdoc.unesco.org/ark:/48223/pf0000375022>

(Asia and the Pacific), Cairo, Egypt (Arab States). The rapporteurs from the five regional events will report back input to feed into the updated version of the *UNESCO Policy Guidelines for the Development and Promotion of Governmental Public Domain Information*. Their feedback will kick start work to update the Guidelines by mid-2022.

Policy Guidelines

UNESCO has commissioned four analytical papers on updating the UNESCO Policy Guidelines for the Development and Promotion of Governmental Public Domain Information. Dedicated consultants from Africa, the MENA region, Asia/Pacific and Europe/North America will report on their findings and suggestions regarding the update of the Guidelines during the Panel 5 discussion. A summary of the findings will be published on UNESCO website.

Based on the above mentioned findings, a new version of the Policy Guidelines will be prepared for adoption and publication in 2022.

Launch of the UNESCO report on the monitoring of SDG 16.10.2

UNESCO will launch a report based on findings of a global survey on public access to information within its efforts to assist countries to report on Sustainable Development Goal 16, particularly on its Target 16.10 which recognizes the contribution of access to information to justice, peace and strong institutions.

Using SDG Indicator 16.10.2, the survey tracks progress on the adoption and implementation of constitutional, statutory and/or policy guarantees for public access to information around the world. UNESCO is the custodian agency in the UN for monitoring this aspect of SDG performance.

The new survey is being undertaken as part of the Organization's role to enhance norms and policies for the right to access information.

This survey global responds to a request made by the Intergovernmental Council of UNESCO's [International Programme for the Development of Communication \(IPDC\)](#).



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