

International dimension

FOI/RTI legislation has rapidly expanded in many countries and faces many challenges.

Canada can learn from this growing international transparency movement and improve its own legislation.

As a user and commentator here in Canada, I've been fortunate to have had some international experience, beginning with my use of American FOI legislation and by taking part in US FOI panel discussions. Another rewarding experience in 1993 was being invited by the Consumer Education and Research Centre (CERC), along with a Ralph Nader litigator and a British FOI campaigner, to assist groups in India wanting FOI/RTI legislation. One more recent exchange took place in 2014 while in New Zealand where I gave a workshop at the Ombudsman's Office.

A further exchange occurred in 2015 when I met in Ottawa with Nepal's Information Commissioners concerning their wanting input on enhancing Nepal's RTI legislation, including giving it greater proactive disclosure provisions and an effective constitutional stature.

These types of productive exchanges as well as being part of the international foianet information network keep me up to date on FOI/RTI activities. I have also benefited from contacts, travels and readings that assist in trying to give context to international transparency and secrecy practices.

I expressed my support for current international FOI/RTI efforts as follows (drawn from a 2015 chapter I wrote published in a British book on FOI ("*FOI at 10: Freedom fighting or lazy journalism?*")),

“More journalists are entering the fray and international civil society efforts at getting regional and world bodies to become transparent. A positive development has been the growing movement for news media associations doing annual audits in their countries of how FOI is working. In 2011, Associated Press very ambitiously tackled a case-by-case international evaluation of some countries' responses to FOI queries”.

“Another positive trend has been civil society's quest for greater transparency in such international bodies as the World Bank and NATO. Initiatives by international campaigners to have more data on extractive resource industries' payments, and on clinical drug trials to be made public, are also underway. Other bodies have been rating the effectiveness of countries' FOI legislation.”

I went on to say that “Internationally, journalists and advocates need better interaction to bring to light stories on pending military acquisitions like the F35 fighter plane or drug companies' influence and product safety problems.” And I made the point that “FOI users around the world are being more than frustrated and in some cases, intimidated, maimed, imprisoned or killed for their efforts. We need to give concrete support to FOI users under attack or to their next of kin, similar to what is done for journalists and political prisoners.”

FOI/RTI advocates and users can face great obstacles and official sanctions when trying to get at the truth or in attempting to set up mechanisms to help the public know what is going on in their own countries. Nonetheless, the international sharing of what legislation works and advances the public's right to know are beneficial and to be encouraged. So are projects and efforts that facilitate cross-country information searches of a public interest nature.

The challenge remains here in Canada to drastically reverse the pro-secrecy emphasis of existing Canadian FOI legislation. This means drastically cutting exceptions to release; broader coverage; a duty to document; tougher enforcement provisions; and aggressive pro-active disclosure of health, safety, environment and consumer

information, and constantly testing and pushing for better FOI legislation.