United Nations Development Programme
Bureau for Development Policy
Democratic Governance Group

A Guide to Measuring the Impact of Right to Infromation Programmes

Practical Guidance Note

Acknowledgements

UNDP is the UN's global development network, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life. We are on the ground in 166 countries, working with them on their own solutions to global and national development challenges. As they develop local capacity, they draw on the people of UNDP and our wide range of partners.

Abstract

The right to information is fundamental in bolstering democratic principles of openness, transparency and accountability in societies and in eradicating poverty and is therefore a programming priority for UNDP. This Guide complements the Practical Guidance Note on Right to Information, which provided guidance on approaches for designing and implementing programmes in this area. It builds on this knowledge, and focuses on the monitoring and evaluation of those programmes, paying particular attention to the use of appropriate indicators, including gender and pro-poor indicators. It outlines the basic principles of programme evaluation, but concentrates on assessing outcomes. It outlines four broad areas of right to information that must be considered in any context for a thorough evaluation. These are: (1) the legal regime for the right to information; (2) the implementation of right to information legislation by government; (3) the use of right to information by the general public and civil society; and (4) the use of right to information by marginalised group. It then suggests questions for each area, and derives from these typical baseline assessment features, outputs and outcomes.

Table of Contents

Acronyms

APRM	African Peer Review Mechanism
CSOs	Civil Society Organisations
EU	European Union
GTI	Global Transparency Initiative
ICTs	Information Communication Technologies
IFEX	International Freedom of Expression Exchange
IFIs	International Financial Institutions
IMF	International Monitary Fund
MKSS	Mazdoor Kisan Shakti Sangthan
NEPAD	New Economic Partnership for African Development
NGOs	Non Governmental Organisations
ODAC	Open Democracy Advice Centre
PRSP	Poverty Reduction Strategy Paper
UNDP	United Nations Development Programme
UNIFEM	United Nations Fund for Women

1. Introduction

1.1 About this Guide

The right to information is fundamental in bolstering democratic principles of openness, transparency and accountability in societies and in eradicating poverty. Effective anti-poverty programmes require accurate information on problems hindering development to be in the public domain. Meaningful debates also need to take place on the policies designed to tackle the problems of poverty. Information can empower poor communities to battle the circumstances in which they find themselves and help balance the unequal power dynamic that exists between people marginalised through poverty and their governments.

(1)
UNDP Practical Guidance Note on the Right to Information (2004) - www.undp.org/oslocentre/docs04/ RighttoInformation.pdf

Promoting and protecting the right to information is an important democratic governance programming priority for many UNDP Country Offices. The UNDP Practical Guidance Note on Right to Information[1] was developed in 2003 in recognition of the growing demand for guidance in this area and provides a toolkit of methods and approaches for designing and implementing right to information programmes.

The aim of the Guide is to help UNDP Country Offices to select country specific and appropriate indicators in order to assess Right to Information focused interventions. This guide complements the Right to Information Practical Guidance Note by focusing on the monitoring and evaluation side of right to information programming. The Guide outlines key considerations for understanding the baseline situation for monitoring right to information programmes, it explains the importance of establishing clear and specific right to information programme outcomes and it sets out guiding principles for selecting right to information indicators including providing example indicators. The Guide also outlines key considerations for making right to information indicators pro-poor and gender sensitive.

1.2 A recap on the basics of UNDP programme measurement and assessment

Measuring the impact of right to information interventions depends on establishing clear and specific programme outcomes that define what can realistically be achieved. UNDP has increasingly shifted away from a focus on measuring inputs to measuring outcomes through the setting of annual targets.

When articulating programme outcomes consider:

- Reviewing the precise wording and intention of the outcome. Ensure that the outcome statement is understandable and agreed upon by all involved;
- Avoiding overly broad outcome statements. Focus on those aspects believed to make the greatest difference in right to information programming;
- Ensuring that outcomes are separated out to address one key issue at a time, so that they can each be properly monitored.

The current UNDP Results Based management guidance recommends country offices to enter baselines, indicators and estimated expenditure against outcomes for the duration of a country programme. The progression from the baseline assessment to measuring programme outcomes is illustrated below. The focus of this Guide is on measuring the impact of programme interventions (the shaded part below).

Step One	Step Two	Step Three	Step Four	Step Five
Baseline assessment	**Articulation** of programme outcomes/ outcome statements	**Programme inputs**	**Programme outputs**	**Outcome realised-** *Indicators to measure realisation of the outcome*

The selection of outcome indicators should begin with developing an inclusive list of potential indicators. This can be done by a combination of brainstorming with those formulating or directly involved with the programme, consulting with experts in the substantive area, and reviewing documents prepared by other UNDP offices and other donors and civil society organisations that are relevant to the substantive area (see section 6).

However, it is important to recognize that indicators are very specific to the situation and particularities of the national context. Some important considerations in selecting information indicators include:

- Using quantitative measurements whenever possible;
- Choosing indicators where measurement data is sufficiently reliable in quality for confident decision-making;
- Disaggregating performance indicators by gender or other population characteristics;
- Considering the practical implications of cost and time for collecting measurement data.

For UNDP Country Offices, it is essential that the selection of outcome indicators reflect UNDP's six drivers of development effectiveness:[2]

1. Developing national capacities
2. Enhancing national ownership
3. Nurturing an enabling policy environment
4. Seeking South-South solutions
5. Promoting gender equity
6. Forging partnerships for results

Section 4 of this Guide provides sets of key questions to help arrive at potential outcome indicators. The questions and outcome indicators are designed to especially reinforce the drivers relating to national capacity development, the promotion of gender equity and forging partnerships for results.

More comprehensive but generic guidance on the selection and development of indicators for all UNDP programmes can be found in the *UNDP User Guide to Results Based Management*[3] as well as the *Handbook on Monitoring and Evaluating for Results* produced by UNDP's Evaluation Office.[4]

2. Understanding the right to information context

Providing for the right to information can raise very sensitive issues for government and public bodies. The existing culture of government will vary greatly from country to country and will condition how policy or legislative reform is developed.

Context matters a great deal; creating a culture of openness is one of the biggest challenges and if politics in a country lack any real consensus on this issue then the obstacles will be formidable. One of the most important tasks for local UNDP offices is to identify the "drivers of change" – those social actors whether individuals or institutions who can be champions of open government.

Consequently, UNDP offices need to have a good analysis of the local conditions they face. All right to information programming should be informed by a comprehensive assessment of the state of the right to information in the relevant country.

There are four broad areas which should be considered by programmers when assessing the state of the right to information.

1. The **legal regime for the right to information:** Is there a formal, functioning system for ensuring that the right to information is protected in law and is part of the machinery of government? The legal regime supporting the right may include constitutional provisions (although this is not always required), specific laws and administrative procedures, and/or information policies of public administrators. These ought to clarify what kinds of information need to be routinely published, in what form, and how accessible it is.

2. **Implementation of right to information legislation by government:** Are there transparent processes and systems of government in place? Is there a functioning system for implementing the right to information and monitoring its impact? Is that system sensitive to the needs of women and the poor? It is important also to make the distinction between the administrative and technical capacity of the civil service to collect, analyse and store information, and the willingness of senior bureaucrats and politicians to disclose and disseminate it.

3. **Use of the right to information by the general public and civil society**: Is there an active and engaged civil society made up of a range of non-state actors including business, the media and civil society organisations? If so, is it capable of utilising the right to information to promote democracy and development? Civil society organisations can help create the demand for the right to information, and promote best practice standards for any information policies developed. They are also have an essential role in using information to hold government to account. Therefore, an active civil society must be independent from government, without the restraints of compulsory registration requirements which some governments impose on civil society organisations.

4. **Use of the right to information by marginalised groups**: Do women and the poor have a voice in public policy making? What are the 'voice' deficits for women and the poor? In other words, what opportunities exist to make their voices heard? What is hindering these marginalized groups from securing the information they need, and ultimately communicating their own opinions? Part of this assessment will be a question of management systems for handling information, and part will be a question of what media are available to disseminate information. Another consideration is the extent to which there is access to information communication technologies (ICTs) such as the Internet, or access to community media. It may also be relevant to assess the degree to which marginalised groups are able to take part in public life rather than being segregated. Do civil society organizations represent, and even amplify, the voices of these groups?

The right to information is a product of both *institutions* and *culture*. Institutions are shaped by laws and the structure of government. Culture is rooted in the history and practice of government as well as in the broader traditional understandings of the accountability of leaders, and of what constitutes representation. Culture is often more powerful than formal arrangements, particularly in societies that are undergoing a process of democratic transition and/or whose political systems still reflect traditional social methods of interaction.

It is possible that a society with no law guaranteeing access to information may nevertheless operate in a relatively open fashion. Equally it is possible to have countries where a law guarantees access to information but the culture of secrecy that shapes the governing culture makes the law ineffective. In these complex circumstances, developing indicators that accurately reflect the degree of transparency in any society is not straightforward and requires an accurate understanding of local circumstances.

3. Making indicators gender sensitive and pro-poor

3.1 Gender considerations in monitoring and assessing right to information programmes

Gender equality and reducing gender based discrimination is an important priority in UNDP's development work. For UNDP, this means involving women at the design, planning, implementation and monitoring phases of development programmes in order to be able to analyse the differential effects of such programmes on men and women. In considering how to make indicators gender sensitive there is one important consideration. Many rights can appear to be based on an assumed formal equality before the law (i.e. there is no official requirement that only some categories of people can request information). In practice of course, this formal equality may conceal considerable differences in actual equality. Women, carrying double burdens of work and childcare (or other caring) may be "time poor", or unable to access formal processes. Simply providing the formal means to request information, as a citizen's right may not ensure that access to information is meaningful for women.

Gender is often shaped by the "public/private divide". Women's roles and responsibilities tend to lie in the family, caring and child rearing, while men's roles are to do with decision-making, formal politics, and the workplace. This division of roles and labour is important for understanding how rights are exercised. In many societies men exercise "citizenship" in public. In these circumstances information systems geared to traditionally defined citizenship rights may, by the very nature exclude women as women with their concerns seen as outside the realms of citizenship. This is particularly true in societies where gender roles are very separate and women are, in effect, excluded form the public sphere. *In such circumstances ways have to be found to ensure that the right kind of information reaches women in an appropriate manner*. For example, in countries where educations constraints mean that many women are illiterate, systems for making an application for information should permit oral applications. Proactive disclosure requirements could require that places where woman gather are nominated as priority dissemination points.

It is important for UNDP Country offices to establish a process of consultation involving women and women's voices from the start of developing a system of monitoring and evaluation. Official bodies must be seen to respond to the needs of women for appropriate information. In many societies this will not be provided by conventional public service channels. For example, sexual health information may be distributed though fiction or theatre; or through channels which recognises the de facto separation of women in some communities. Information about payments to local health centres could be pinned on the health clinic notice board where woman can read it when visiting their doctor. Identifying the relevant factors and indicators will require good local knowledge.

3.2 Pro-poor considerations in monitoring and assessing right to information programmes

Similar considerations apply to developing pro poor indicators.   Just as many women will find it difficult to utilize information access rights even if they are provided, the same consideration applies to the poor. For there to be functioning system of open and accessible information that is pro poor, much attention will need to be focused on how information is provided to the poor. This is particularly important in rural areas, where communication system maybe inoperative with high levels of illiteracy.

In addition, communication "poverty" is a key factor in inhibiting economic activity, which is the real lever for lifting the poor out of poverty. Investment in community radio and mobile telephony is likely to yield a great "information" dividend and significant investments in such technology is crucial if information is to be widely available and shared among the poor. Placing communication capacity in the hands of the poor themselves may be the most effective strategy (rather than treating them as passive recipients of information provided by large urban-based producers of whatever kind).

Some of the most innovative approaches to ensuring access to information in these circumstances have come from NGOs in the developing world. One such example is that of Mazdoor Kisan Shakti Sangthan (MKSS) which leads a right to information movement in Rajasthan. MKSS highlights corruption in local government expenditure. It obtains information about alleged payments made to labourers or to purchase materials and crosschecks this information at public hearings. These hearings, known as Jan Sunwais, are held face to face and allow workers to testify personally, thereby helping overcome illiteracy and similar problems. By organising the Jan Sunwais in the villages themselves, MKSS bring relevant information to the poor in an accessible form.[5]

Subsequently the Open Democracy Centre in South Africa established to monitor and support South Africa's access to information law, examined the lessons of MKSS's work.[6] They concluded that they needed to work more closely with rural communities, by assisting local groups to identify the issues they wanted to explore and how better access to information could help them achieve that. Subsequently they downgraded their work on the process side of access to information - the mechanics of the legislation - to better assist communities more directly with their requests for information. Examples of community requests for information included information on HIV/Aids programmes, supplies of piped water, land claims and breakdowns of the municipal budget.

(5)
See www.freedominfo.org/case/mkss/mkss.htm for more background.

(6)
See www.opendemocracy.org.za for more information.

4. Examples of Right to Information Indicators

This section of the Guide outlines four key outcomes in right to information programming and provides *example indicators for these outcomes*.

The Guide is structured by taking each of the four outcomes and proposing a set of questions to arrive at potential indicators. Examples of indicators with guidance on information sources are set out in tabular form. Additional guidance on information sources is given in section 5.

The four principal right to information programming outcomes are set out below.

- **Outcome 1: The legal regime for the right to information.** An effective, enabling legal and policy environment for right to information, based on best practice standards and developed in a participatory manner (i.e. involving the public and civil society), exists and is firmly established.

- **Outcome 2: Implementation of right to information legislation by government.** Functioning systems are in place, implemented and supported by the bureaucracy, which enable citizen access to government held information.

- **Outcome 3: Use of the right to information by the general public and civil society.** Active involvement by non-state actors including the general public, civil society organisations, and the media in using the right to information to gain access to government held information, in raising citizen awareness on right to information legislation, and in generating demand for government held information.

- **Outcome 4: Use of the right to information by marginalised groups**. Implementation of the right to information systems operate in practice to enable women, those living in poverty, and other marginalised groups to access information.

4.1 Outcome 1: The legal regime for the right to information

The legal regime for the right to information - An effective, enabling legal and policy environment for right to information, based on best practice standards and developed in a participatory manner (i.e. involving the public and civil society), exists and is firmly established.

Key questions:

☑ Are there any relevant treaty obligations dealing with the right to information? Is the country signed up to treaties that may require legislation to enforce openness – including relevant environmental treaties such as the Aarhus Convention[7], which have access to information provisions?

☑ Is there any constitutional guarantee for the right to information?

☑ Is there a national law on the right to information? Does it comply with the relevant international standards? Was the law developed in a participatory manner, in that the Government actively engaged the public and civil society in the legislative development process? Were any special efforts made to engage women and/or people from marginalised groups?

☑ If legislation guaranteeing the right to information is being prepared, is there a realistic timetable for implementing it? (Such a timetable should be neither so short as to imply that no preparation has been made and therefore that the legislation is likely to be ignored, nor so long as to imply delay and procrastination.)

☑ Is there a willingness to ensure the law meets best practice standards? (As set by bodies such as the UN Special Rapporteur on Freedom of Information; regional inter-government organisations, i.e. African Union, the Organisation of American States or the European Union; or NGOs such as Article 19, the Commonwealth Human Rights Initiative or the Open Justice Initiative.)

☑ Is there any process of consultation with non-state actors? Are there opportunities for the public to contribute to the debate about the legislation, and if so are they meaningful - can they affect the shape of the legislation? Is there any media coverage of the proposed legislation?

☑ Is there a policy that obliges the government and or individual departments to publish information on a proactive basis, even in the absence of a formal right?

☑ Are there clear information policies set out for individual government departments? Do they make clear the managerial arrangements?

☑ If there is no law, and none in draft, are there government statements recognizing the need for legislation or specific commitments to passing relevant laws?   Are there any existing statements by politicians committing them to access to information and what is the status of those commitments, if any?

☑ Is there any demand by the public and/or civil society (i.e. NGOs, the media) for right to information legislation? If so, has the Government been actively engaging with civil society on right to information issues?

☑ Is there external pressure for legislative reform (i.e. from EU, World Bank etc) to challenge corruption and secrecy which will have right to information implications?

☑ Is there evidence of the law being applied to social programmes? (i.e. those dealing with health, environment, and gender.) Is there evidence that the law has been used by groups in pursuit of UNDP goals? (I.e. women's organisations in rural areas seeking access to reproductive health information.)

☑ Are there adverse reports on access to information from credible external agencies? For example Transparency International's index on corruption etc. www.transparency.org/publications/gcr

4.1.1 The legal regime for the right to information

Baseline assessment		Outputs	Example Outcome indicators
Example of Baseline information	**Information sources**	• National law guaranteeing access to information; • Public policies on information disclosure; • Minimum requirements to at least proactively disclose information; • Government communications units required to disclose information; • Established system of appeals for requests that are refused.	• Any law or policy in place that accords with international best practice standards; • Willingness of Government to work with public and civil society to develop law/policies; • Percentage of respondents considering implementation of right to information legislation was adequate or good.
• Treaty commitments; constitutional provisions; timetabled commitment to introduce legislation; information provided in an accessible and usable form; consultations with women's and pro-poor organisations about information provision; • Absence of legal restrictions on women's right to take part in public life; • Levels of investment made in communication infrastructure by public bodies and donors.	• Official gazette; • Media coverage; • Reports by national and international bodies and NGOs; • Polling data.		

4.2 Outcome 2: Implementation of right to information legislation by Government

Implementation of right to information legislation by government - Functioning systems are in place, implemented and supported by the bureaucracy, which enable citizen access to government held information

Key questions:

☑ Is there evidence of any change to government information systems – any sign of institutional reform – to facilitate access to information?

☑ Do regulations support or undermine the rights? For example, are fees set at a reasonable level? Are specific application and appeal processes simple?

☑ Is there a budget set aside for implementation? In order to successfully implement right to information legislation there will need to be budgetary provision for information system upgrades and training – is there evidence of such budgetary provision?

☑ Has an agency within the bureaucracy been designated to take the lead on administering the access regime, managing implementation and monitoring access? How well is it discharging its responsibilities? Has a specialist office been created (i.e. an Information Commissioner) or designated (i.e. an existing Ombudsman) to oversee and/or promote access to information? If so, how well resourced is it in terms of staff and budget?

☑ Has a specialist, independent office (such as an Information Commissioner) been created or designated to deal with appeals? If so, how well resourced is it in terms of staff and budget? Is it autonomous and independent of government interference?

☑ Are senior officials assigned with a responsibility for right to information responses? Are public bodies establishing senior level information officers who have responsibility for implementing the law within their management area?

☑ Have public bodies appointed information officers to be responsible for implementing the act? If not, are there internal systems in place which ensure access will be promoted and facilitated?

☑ Are there training programmes for legislators and public officials? Are there training programmes available for bureaucrats to understand the implications of the legislation?

☑ Has the government developed resources to assist officials to understand and implement the law? (i.e. guidance notes on applying exemptions, or a step-by-step manual for dealing with requests)

☑ Is the government setting up a system for monitoring use of the legislation? For example, are records kept by relevant department of public body on the number of requests made and granted/refused? If so, how many requests for information have been recorded? What is done with this information?

☑ What is the average response to an information request? Is this being monitored by anyone (such as the specialist office)? Are responses provided in a timely manner or is delay being used as a means of undermining the law in practice?

☑ If information requests are refused, are there reasons given for the refusal, and if so, are these documented and recorded?

☑ How many appeals against refusals are made and how many upheld? Is there an effective right to appeal that can overturn original decisions?

☑ Is there a demonstrable awareness of problems of implementation? Do public bodies acknowledge that there are likely to be problems in implementation – is there press coverage of this problem, or public debate?

☑ If legislation has been introduced is there evidence of any change to government information systems – any sign of institutional reform – facilitate access to information? Has the government issued guidance notes to staff or the general public on the implications of the law?

4.2.1 Implementation of right to information legislation by Government

Baseline assessment		Outputs	Example Outcome indicators
Example of Baseline information	**Information sources**		
• Training programmes for public officials; • Managerial arrangements for dealing with access to information including senior level responsibility; • Budgetary provision for implementing access to information system; • Specialist body charged with overseeing access to information.	• Relevant international reports such as Transparency International Corruption Perceptions Index, reports by international financial institutions, polling data; • Decisions by the administrative body overseeing access to information; • Relevant media coverage.	• System in place for monitoring access to information requests; • System in place for dealing with appeals impartially and quickly; • Requests for information being disposed of in a timely manner; • Designated officials in charge of information requests trained and discharging obligations efficiently; • Creation of effective administrative appeals body to supplement the courts; • Managerial arrangements for dealing with access to information including senior level responsibility; • Existence/creation of a specialist body charged with overseeing access to information.	• Percentage of requests dealt with in a timely manner in accordance with the law/regulations/policy; • Decisions of appeals bodies where requests are refused; • Number of officials trained; • Monitoring by public officials of information requests; • Disaggregated percentage of requests refused by public agency (an average for the public sector as a whole might conceal high rates of refusal by those agencies of most concern to the poor/women, i.e. police, Ministry of Health, Ministry of Education).

4.3 Outcome 3: Use of the right to information by the general public and civil society

Use of the right to information by the general public and civil society - Active involvement by non-state actors including the general public, civil society organisations, and the media in using the right to information to gain access to government held information, in raising citizen awareness on right to information legislation, and in generating demand for government held information.

Keyquestions:

☑ Are the public aware of their rights to government held information?

☑ Is there a meaningful public discussion of the right to information, as reflected in the national media coverage (to be assessed by monitoring the media regularly)? Assessing the volume of media coverage, including coverage of issues such as corruption, trust in public life and other issues can help analyse public awareness of access to information issues.

☑ Is civil society (including NGOs) actively engaged in promoting awareness on the right to information?

☑ Are the public exercising their rights (i.e. by submitting requests for information)? If so, what types of information are being requested? If the information is being provided, how is it being used?

☑ Are CSOs exercising the right to information? If so, what type of information is being requested? If the information is being provided, how is it being used?

☑ Is the media exercising the right to information? If so, what type of information is being requested? If the information is being provided, how is it being used?

☑ Is there evidence of active business involvement in making information requests?

☑ Are CSOs involved in implementing and/or monitoring the right to information?

☑ Are there polling or focus group data on the impact of the law? Has there been polling on the impact of the law, or on public attitudes to the law etc?

4.3.1 Use of the right to information by the general public and civil society

Baseline assessment		Outputs	Example Outcome indicators
Example of Baseline information	**Information sources**		
• Presence of NGOs that focus on access to information or that call for improved access to information provision; • Active campaigns for access to information, constitutional protection for freedom of expression, and/or independently owned media; • Pluralist range of editorial views; System for allocating wavelengths with published policy criteria; information provided in an accessible form; consultation with women's and pro poor organisations about information provision.	• Reports by NGOs; media coverage; • Reports from international initiatives such as Transparency International GTI or Privacy International; • Quality of media coverage; • Court decisions in defamation and other media cases; • Evidence of pluralism in public debates; • Reports of relevant international media and free expression organisations.	• Public aware of their right to information; • Public, CSOs and media exercising the right to information – e.g. by submitting applications ; • Public, CSO's, media utilising the right to promote accountability, participatory development, etc.	• Monitoring data re requests for information; • Local NGOs active in monitoring access to information requests; NGOs involved in training ands dialogue with public officials; • Evidence of active requests for information; • Media able to criticise government policy; • Media able to cover allegations of corruption or wrong doing by public officials.

4.4 Outcome 4: Use of the right to information by marginalised groups

Use of the right to information by marginalised groups – Implementation of right to information systems operate in practice to enable women, those living in poverty and other marginalised groups to access information.

Key questions:

☑ If there is a law in place, were any special efforts made to engage women and/or people from marginalised groups in the legislative process?

☑ Are officials obligated to provide assistance to make available information to illiterate persons?

☑ Is it possible to waive or reduce any imposed fees to ensure that poor people are not blocked from access in practice?

☑ Is information produced in a form that is useful to women and the poor both in terms of content and accessibility?

☑ Has the government developed special programmes to raise awareness of the right to information among marginalised groups? (i.e. the South African and Indian right to information laws explicitly require public education programmes to be developed which target marginalised groups.)

☑ What are the levels of investment made in communication infrastructure (especially in remote/rural areas) by public bodies and donors?

☑ Do systems exist for providing information in rural and remote areas (perhaps through community radio, mobile phone provision or even local internet access points)?

☑ Is official information made available in form that is useable with low levels of literacy?

☑ Do means and mechanisms exist that enable the poor themselves to articulate their own information requirements and needs?

☑ Do public officials travel into rural or remote areas to be available for questions and discussion?

☑ If legislation is in place, is it being used by women and people from marginalised groups? If not, why not?

☑ Is information provided that is relevant to women? Is such information available in such a way as to allow women access without being controlled by men?

☑ Is official information clear about its own gender implications (i.e. budgetary information should be clear how it affects men and women differently)?

☑ Is official information transparent about discrimination against women and other marginalised groups, including by demonstrating an awareness of how these groups' needs are or are not being addressed? This is particularly important in sectors like health and education.

4.4.1 Use of the right to information by marginalised groups

Baseline assessment		Outputs	Example Outcome indicators
Example of Baseline information	**Information sources**		
• Consultations with women's and pro-poor organisations about information provision; • Gender disaggregated data access to official information; • Effective means for providing information in rural and remote districts.	• Local NGO sources; official sources if delineated by gender or income; • Official statistics disaggregated by gender and socio-economic status; • Reports by gender specialist international organisations (i.e. UNIFEM).	• Government undertaking specific public education programmes for marginalised groups; • Law has special provisions to facilitate access by women and those living in poverty, i.e. fee waiver, assistance for illiterate; • Requests for information by women and those living in poverty being made; • Proactive disclosure taking specific account of dissemination strategies which will reach the poor and marginalised.	• Systematic channels of communication created between government agencies and women's and pro-poor groups; • Official information provided in forms accessible to women and the poor i.e. percentage of publicly available government information that is accessible in local/ethnic minority languages; • Investment in technology and forms of communication (i.e. community radio) that can be utilised by women and the poor.

5. Information resources

One of the most difficult tasks for UNDP offices is to find accurate sources of information to assess the four key right to information programming outcomes:

1. The legal regime for the right to information;
2. Implementation of the right to information by Government;
3. Use of the right to information by the public and civil society;
4. Use of the right to information by marginalised groups.

A good source of information on treaty obligations are the websites of relevant international organisations – the UN or relevant regional bodies. These carry details of each treaty, including countries that have signed, ratified, and whether they have registered any exemptions to their obligations. National laws are usually recorded in some kind of official gazette – other sources will be the National Library (if there is one), the Law Commission, the official records of Parliament, or even local NGOs and the media.

Policy commitments by leading politicians are likely to be recorded by their respective parties or noted by local campaigning NGOs or the media. If there are local champions on right to information then it will be important to canvas their understanding of the right to information situation, making due allowance for any partisan affiliations they might have. Internal government policies on access to information should be held by the government's own press or media operation. If there is a specialist oversight body then it should have recorded such policies as well as details of their implementation.

National media coverage of issues such as corruption or secrecy will also be a useful way of analysing public concern.

Assessing the effectiveness of a right to information system will depend heavily upon official sources of information. If there is an information office or supervisory body then this should have relevant statistics about numbers of requests, including those accepted and rejected. Government departments themselves should record this data – if they do not, then this itself will be a negative indicator. More indirect indicators will include the amount of budgetary provision for right to information, staff numbers involved, management arrangements for dealing with access to information requests etc. The media is another source of information as the media should be significant requestors and are likely to track the level of official responses.

Assessing the sensitivity of policies towards women and the poor will partially depend on whether right to information data is disaggregated in any way. It is also worth considering whether the information provided is relevant to women and the poor, whether NGOs representing women and pro-poor groups have any relevant data. More indirectly there may be evidence of investment in communication channels accessible to women and the poor, evidence of information provision (not just public meetings but any kind of official presence) in poor neighbourhoods.

Finally the main source of information about the involvement of civil society will be civil society organisations themselves. There are international coalitions of right to information groups and these may be good sources for local contacts. Businesses are likely to be significant users of any access to information system so local business associations should be contacted. The media will be a source of information about relevant civil society organisations as will religious organisations in certain societies.

5.1 Recent important external initiatives

The Open Society's Justice Initiative is developing a monitoring system using data from five countries—Armenia, Bulgaria, Macedonia, Peru and South Africa. This involves selecting process-oriented indicators, such as the response times to requests for information, fees charged for documents, or the existence of discriminatory practices in the provision of information. This exercise aims to provide a more comprehensive overview of access to information practice than other assessment tools. It is likely to be available in 2006.

Another initiative relevant to countries in Africa is that of NEPAD – the New Economic partnership for African development in which a meeting on the African Peer Review Mechanism (APRM) and Access to Information was held in Pretoria in September 2005. The meeting resulted in the establishment of a working group, representing NGOs in Tanzania, Namibia, Ghana, Nigeria and Mozambique, with plans to lobby for Right to Information indicators to be included in the country review processes of all APRM countries.

5.2 Useful right to information resources

Reliable external assessments of right to information may have been made by organisations such as the World Bank or the IMF. Such assessments may be available online on the organisation's websites but they may need to be contacted directly for more detailed information. One obvious example is the Poverty Reduction Strategy papers (PRSPs). PRSPs are prepared by member countries of the International Monetary Fund in consultation with domestic groups and the World Bank and IMF. These papers will often have useful governance indicators. [8]

Useful resources on right to information are listed below:

- ARTICLE19 is an organisation that specializes in promoting access to information around the world. It has a comprehensive range of material on its website including analyses of the policies of international financial institutions as well as country law and practice. www.article19.org/publications/global-issues/freedom-of-information.html

- Civicus produces a civil society index across 35 countries looking at various aspects of civil society including structure, environment, values and impact. It is drawn up as on a qualitative basis and tested at national workshops. www.civicus.org

- Commonwealth Human Rights Initiative is an organisation that promotes access to information in the 53 countries of the Commonwealth. It has a comprehensive range of material on its website, including links to all Commonwealth access laws and draft Bills, contacts for national groups working on the law and regular updates on national campaigns. www.humanrightsinitiative.org/programs/ai/rti/international/laws_&_papers.htm

- Freedom House produces an annual qualitative assessment of political and civil freedoms around the world. They also produce an annual qualitative survey of press survey comparison. www.freedomhouse.org

- Freedom of Information Advocates Network – an organisation of 90 NGO campaigns groups promoting access to information worldwide. www.foiadvocates.net/index_eng.html

- Gallup International undertakes qualitative polls across 60 countries on a range of topics embracing global governance and democracy. www.gallup-international.com

- The Global Transparency Initiative (GTI) – is a network of civil society organisations promoting openness in the International Financial Institutions (IFIs), such as the World Bank, the International Monetary Fund, the European Investment Bank and Regional Development Banks. Contact:- Toby Mendel on a19law@hfx.eastlink.ca www.ifitransparency.org

- The International Freedom of Expression Exchange – IFEX is an international network of free expression and media organisations that issues regular alerts about threats to freedom of expression and the independence of the media. www.ifex.org

- MKSS at Village Devdungri Post Barar, District Rajsamand-313341, Rajasthan, Tel: 91-2909-243254. Tele Fax: 91-2909-250180. Mobile: 09414007305. E-Mail: arunaroy@jpl.dot.net.in, mkssrajasthan@yahoo.com.

- Open Democracy Advice Centre, South Africa (ODAC) www.opendemocracy.org.za

- Privacy International has produced a guide to right to information laws worldwide. It also has a detailed commentary on the latest legislative developments around the world. www.privacyinternational.org

- Transparency International produces a Corruption perceptions index, a qualitative survey of 113 countries that ranks countries in order of perceived corruption. www.transparency.org

- The World Bank Institute, working with the Bank itself has produced a number reports on governance with transparency as a key focus. www.worldbank.org/wbi/governance