

Seminar on: "The Use of Information Communication and Technology for
Development (ICT4D)"

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Keynote Speech

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Good morning!

I am very happy to be able to join this seminar on “ The Use of Information, Communication and Technology for Development” . I congratulate everyone who has been involved in the organization of this event, and I hope that the discussions and dialogues today will be fruitful and contribute to ongoing efforts toward the national development process.

Since much of the discussion this morning will deal with issues related to communication and the access and use of information, I would like to focus my remarks this morning on the issue of access to information and how it can contribute to the development of the Cambodian nation.

Experts in conflict resolution often cite inadequate or inaccurate information as potential sources of conflict. In post-conflict societies such as Cambodia, a free flow of information, particularly from public institutions, is vital to the building and maintenance of a stable, functioning democracy and a vibrant, informed, and engaged citizenry. This information “free flow”, these experts say, also creates a societal culture of tolerance, openness, honesty, and transparency, which provides a safeguard against corruption and oppressive governmental power. All of this leads to the creation and maintenance of a peaceful and stable society.

The right to access information held by public bodies is also referred to as ‘freedom of information’ or ‘right to information’, and has been recognized in international law as a fundamental human right, as noted in Article 19 of the International Covenant of Civil and Political Rights (ICCPR). The past two decades have seen the adoption of a growing number of access to information laws worldwide. For example, as of December 2012, 93 nations now have national

access to information (A2I) laws or related administrative regulations, compared with just 13 in 1990.

In ASEAN, Thailand and Indonesia currently have access to information Laws, while Vietnam is currently considering a draft law. Other countries in Asia that have access to information laws or regulations include Japan, South Korea, and China.

Although there is currently no specific A2I legislation in Cambodia, the Royal Government, with the encouragement and support of donor countries has recognized the need for a national access to information policy and legislative framework.

Three provisions in the current Cambodian Constitution provide the constitutional underpinnings of a protected right of access to information.

Article 31 of the Constitution pledges to “recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women’s, and children’s rights.”

Article 35 of the Constitution also gives Khmer citizens the “right to participate actively in the political, economic, social, and cultural life of the nation. Any suggestions from the people shall be given full consideration by the organs of the State.”

Further, under Article 41, Khmer citizens “shall have freedom of expression, press, publication, and assembly.”

A practical necessity for a national A2I law relates to attainment of the Millennium Development Goals. The Royal Government of Cambodia has made achievement of the Cambodian Millennium Goals one of its national priorities in its National Strategic Development Plan (NSDP).

The Millennium Development Goals (MDGs) are eight international

development goals that all United Nations members and at least 23 international organizations have agreed to achieve by 2015. The aim of the MDGs is to encourage development by improving the social and economic environments in the world's poorest nations.

Some of these goals include eradicating severe poverty, reducing child mortality rates, fighting disease epidemics such as AIDS and tuberculosis, and developing global cooperation in development.

As a member of the United Nations General Assembly, the Royal Government of Cambodia, while adopting the eight universal MDGs in 2003, adapted the goals to better fit the realities of the Cambodian situation.

A2I legislation could serve as valuable tool to facilitate achievement of several of the CMDGs, particularly CMDG 3 (Promoting Gender Equality and Empowering Women); CMDG 4 (Reducing Child Mortality); CMDG 5 (Improving Maternal Health); CMDG 6 (Combating AIDS/HIV, Malaria and Other Diseases) and CMDG 7 (Ensuring Environmental Sustainability).

For example although there is a greater awareness among citizens about the problem of domestic violence, and a legal framework in place to combat the problem, levels of acceptance or minimization of the problem remain high, particularly in rural areas. Most domestic violence victims do not have access to or do not seek professional or legal help.

Effectively implemented A2I legislation can ensure that domestic violence victims (the overwhelming majority of which are women) get access to information on where to obtain legal assistance, to learn about their rights under the Law of Domestic Violence, and to inform themselves regarding social assistance and family counseling / mediation services in their local communities.

With regards to Reducing Child Mortality and Improving Maternal Health (CMDGs 4 and 5), effectively implemented A2I legislation could help facilitate access and dissemination of information regarding proper health practices, health risks, nutrition, access to medical resources and treatment, reproductive health, and medicines. Not making this type of information readily accessible to women,

particularly information related to reproductive health, can also constitute a form of gender based discrimination and hinder the empowerment of women, an issue also related to CMDG 3.

The importance of A2I also applies particularly to combating infectious diseases. A clear recent example of this was the 2003 outbreak of SARS (Severe Acute Respiratory Syndrome) in China. At first the Chinese government denied the seriousness of the outbreak and did not release information about the measures necessary to restrict it. As soon the government reversed this policy, the outbreak was brought under control.

Another example is the HIV/AIDS pandemic. In the early years, HIV infections spread rapidly because of the lack of publicly available information about the virus and how to avoid it. Countries that had effective public information programs, have been able to reduce the rates of HIV infection. Although Cambodia has made significant progress regarding this development goal (CMDG 6), particularly with regards to HIV/AIDS, implementing an effective A2I law and policy would be beneficial in combating other diseases in which lesser progress has been achieved, such as dengue and tuberculosis.

As for CMDG 7 (Ensuring Environmental Sustainability), an A2I law could assist in providing access and dissemination of information related to community fisheries, such as the provisions of the sub decree on Community Fisheries management, and facilitating greater community participation in decision making, and in outreach and registration programs. An A2I policy can also provide information on the negative environmental impact of fuel wood consumption, as well as educate communities on the use of energy efficient and environmentally friendly cooking methods.

In addition to helping achieve the Millennium Development Goals, an A2I law could also further more general social, political, and economic development. This includes issues of democratic governance, public participation, promotion of economic growth and investment, the protection of traditionally disadvantaged groups, the promotion of human rights, protection of free expression, protection of the environment, and the maintenance of public security and social stability.

Government officials are more likely to be held accountable to the needs of citizens if their actions are made public, as part of an A2I policy. A government, both on the national and sub national level could work more efficiently by keeping its documents and other records in order and accessible to the public.

Citizens concerned with particular issues affecting their communities could use an A2I law to obtain policy information, particularly regarding those issues directly affecting their local communities. An A2I law would also require public meetings of decision making bodies at all levels of government, in which citizens could voice their perspectives and opinions during the policy making process.

Investors could use an A2I law to gather market information, understand business policy and more efficiently navigate the government system. In addition, the government could provide a mechanism to enable investors' access to government resources, and an accurate exchange of information could assist in better decision-making.

Traditionally disadvantaged groups – of which women are the largest – could especially benefit from access to information, enabling their participation in decision-making processes.

Workers rights can also be greatly enhanced in a work place where critical information is available. Workers can be informed about health and safety issues, and other working conditions. They can obtain financial information about their institution or company, which could help them in wage negotiations, or to form a workers union. Society can also benefit from boys and girls being aware of their right to an education. Awareness is likely to trigger a demand for education and ultimately result in a more highly skilled workforce.

An access to information law could encourage good environmental practices by the private sector, and reveal bad practices detrimental to local livelihoods and the environment. For example, a lack of managerial oversight of industrial waste disposal, urban construction with no zoning laws, or wholesale logging and mining without environmental controls or community consultation could be exposed. Information and communication could foster long-term solutions between communities, businesses, environmentalists and the government

Finally, having a strong access to information law reduces the danger of rumor. Rumors often occur when people are unable to get the true information. This often occurs in societies that lack transparency in public and social affairs. Rumors can have a serious negative impact and Cambodia has suffered from this in the recent past.

It is crucial that in drafting an A2I law, inter-ministerial cooperation and input is included, along with engagement, participation and input from parliamentarians, civil society, the public, and sub national authorities. This should also be accompanied by a parallel effort at capacity building to educate government officials and employees on how to properly implement the law, and to ensure that all administrative rules, regulations, and procedures are consistent with it.

These are no easy tasks. And to be sure, there will be plenty of challenges faced in the lawmaking process. Yet despite these challenges, the long term benefits of passing such a piece of legislation clearly outweigh the challenges.

An effective A2I law can help create a better future for Cambodia—a future of more accountable, effective, and responsive government, along with a reduction in the fear, suspicion, distrust, and even disinterest that some Cambodians have toward public institutions in general. Creating a climate of openness and trust toward public institutions, can help foster a more aware, perceptive, and engaged citizenry, and with it a more peaceful and productive society.

Thank you very much!

