

27 September 2012

Open letter to

H.E. Prime Minister of Malaysia, Dato' Najib Abdul Razak;

Honorable Chief Minister of Penang State Government Mr. Lim Guan Eng;

Honorable Chief Minister of Selangor State Government Tan Sri Khalid Ibrahim,

On the occasion of the global celebration of International Right to Know Day, on 28 September, we, the undersigned organisations, would like to highlight that access to information is a crucial part of an enabling environment in which the public and civil society organisations can participate in decision-making, and the media can report in the public interest and scrutinise wrongdoing and corruption in the public sector. It is, as a result, a key part of a sound development program, as well as being a human right.

We are writing to ask the Federal Barisan Nasional coalition to make an election commitment, in the upcoming general elections, to adopt right to information legislation as soon as possible. The right to information has been recognised internationally as a fundamental human right and it is therefore incumbent on all countries to adopt legislation giving effect to it. To date, more than 90 countries around the world have adopted right to information legislation, affirming the global recognition of this fundamental human right, as enshrined in Article 19 of the Universal Declaration of Human Rights. We are very concerned that the Barisan Nasional government has persistently rejected calls to enact such a law and has instead systematically targeted whistleblowers and individuals who have sought to expose wrongdoing and corruption in the public sector.

The government's persistent denial of this right is putting its credibility and popularity increasingly at risk.

In contrast to the resistance at the federal level, two states, Selangor and Penang, have both passed Freedom of Information Enactments, in April and November 2011, respectively. Although these laws have certain weaknesses, they represent an important step in terms of legal recognition of the right to information and the public's right to know. We encourage all states to build on this achievement in Penang and Selangor by putting in place clear plans of action for the implementation of these laws, and in all other states by enacting Freedom of Information laws. Experience around the world demonstrates that it is not enough simply to pass a right to information law; implementation is crucial to ensure that citizens can exercise this fundamental human right.

On the occasion of International Right to Know Day, we therefore call upon:

The Barisan Nasional Government to:

- enact a Right to Information law; and
- repeal all laws and provisions that unduly restrict citizens' right to access public information.

The Pakatan Rakyat Governments of Penang and Selangor to:

- publish an inventory of the information held by public bodies; appoint and provide adequate training to information officers;
- undertake routine proactive disclosure of information of public interest; and conduct adequate public awareness activities to ensure that citizens are aware of the law and how to use it.

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