



## **UNESCO announces the theme and the slogan of the International Day of Universal Access to Information 2020**

The right to access information during the crises of COVID 19 is the theme of this year's International Day for Universal Access to Information (IDUAI). The slogan of this year's commemoration is **"Access of Information – Saving lives, Building Trust, Bringing Hope!"**. The expected outcome is a specific contribution to identifying good practices and guidelines on the right to access information and its role in saving lives during the crises.

UNESCO as the initiator of the Day, which for the first time in 2020 will be commemorated in its new status of the UN day, granted recently by the UN General Assembly, chose the theme to highlight how constitutional or legal guarantees for public access to information can save lives, build trust and help shape sustainable policies.

The celebration of 28 September 2020 is an opportunity to call on Member States to enact and fully implement Right to Access to Information laws and demonstrate their unique value during times of crisis.

In view of the current health measures in place, many of the events planned in various countries around the world will be conducted online. The key international gathering, an international conference, is being planned in Tashkent, with the support of the government of Uzbekistan. Dates will be announced later this year, as soon as uncertainties surrounding travel and quarantine related limitations are resolved.

The 2020 commemorations will take place in the framework of the right to access information and its role in saving lives during the crises. In this respect, **UNESCO reiterates the importance of upholding the right to access information amid the COVID-19 outbreak.**

Amidst this global health crisis, and what WHO calls the “infodemic” complementing the outbreak, it is essential to recognize the crucial role of access to information for human rights, and in particular its role as the critical component of the right to health.

In many countries, people have learned that timely access to official information is the difference between life and death.

### **Access to Information laws**

Yet, up to date, only 127 countries have passed access to information laws. Meanwhile, the 2030 Agenda for Sustainable Development and the Universal Periodic Review, a unique United Nations process involving the continuous assessment of the human rights records of all 193 UN Member States, underlines the importance of having such legislation in place.

These laws not only guarantee access to information, but play a crucial role for accountability in the situation where many other accountability systems, such as courts, legislative bodies, and municipal councils are operating in a more limited way, and when Governments have to make critical decisions about health, economy and human rights.

### **International Standards**

In terms of international standards, any restriction on access to official information, including the suspension of specific legal clauses, must be allowed by law, have a legitimate aim, be necessary and proportionate to the aim of protecting public health and limited by the duration of the crisis. Understandably, the crisis could require a review of activities and resources in many fields, including access to information. These restrictions should be justified; for example, they could be only allowed if authorities of a particular institution are overburdened or to protect public health, or if physical processing in lockdown situations is not possible.

## **Access to Information implementation and procedures**

COVID-19 may impact information requests, but the legal terms for processing and replying to freedom of information requests, should not be reduced with no apparent reason. They should also be processed free of charge, in particular for requests on health and other aspects of crisis-related information. The UN has emphasized that information accessibility is a key component of the right to health. When states restrict speech relating to health issues or do not publish health information proactively, populations suffer adverse health impacts and cannot fully enjoy the right to health.<sup>1</sup>

Information Commissions and similar Access to Information bodies, which are in charge of overseeing access to information legislation should be supported, so they can continue to operate in lockdown mode, as needed. In cases where staff continues to work from offices, they should be provided with the necessary protection. These are the critical institutions which ensure keeping citizen informed, strengthen social cohesion, and reduce the spread of rumor and misinformation.

## **Proactive disclosure**

All state institutions ought to display leadership by proactively disclosing information that is of fundamental interest to citizens, who in time of crises are looking for trust, reassurance and clarity. Being informed builds up the feeling of belonging. Proactively publishing health information helps everybody, but in particular people with disabilities as well as the vulnerable populations. These measures to assist should also include making public information available in local languages and in a diversity of accessible formats with use of accessible technologies.

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<sup>1</sup> Committee on Economic, Social and Cultural Rights, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12) <https://www.refworld.org/pdfid/4538838d0.pdf>

## **Privacy**

Taking into account that the right to privacy can be caught up in digital data processing and personally-identifiable information can be uncovered as a result of the effort to fight the crisis state institutions and regulators should do their utmost to balance the right to privacy and the right to information when there is a potential conflict between them.