

Asserting Ancestral Land Rights: The Mamanwa experience

The indigenous Mamanwa community comprises the majority of the population of Sitio Dinarawan and Bunga in Brgy. San Pablo, Jabonga, Agusan del Norte. Their ancestral domain claim covers both terrestrial as well as lakeshore areas totaling 8,000 hectares. The Mamanwa communities in Jabonga trace their early origins to the small settlements spread across the banks of Lake Mainit, the fourth largest lake in the Philippines, and in the forests of Mt. Hilong-hilong and Mt. Mabalao where they practiced seasonal honey gathering, foraging, and hunting.

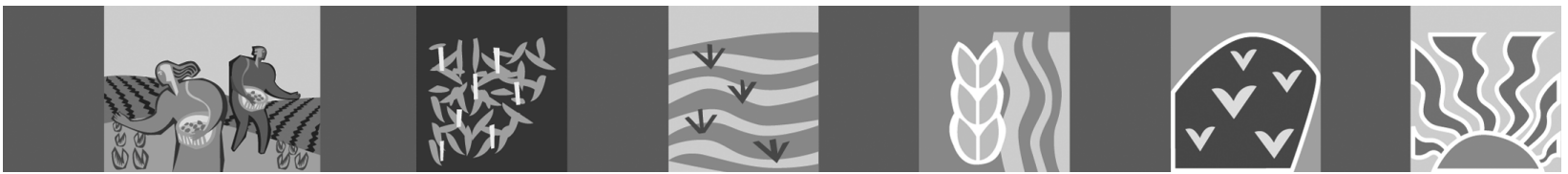
Just like other indigenous communities in the Philippines, the Mamanwa of Dinarawan have close ties to the land and see themselves as part of the whole ecosystem. Land and water are not only valued as means of production and livelihood but also as part of their spiritual and cultural traditions. Their food, water, building materials, and medicinal herbs come from the land, forests, rivers, and seas.

In 2003, the Mamanwa communities learned about the impending mining operations of Mindoro Resources Ltd. (MRL), a junior mining company based in Edmonton, Canada engaged in the exploration of nickel, copper, and gold in the Philippines. MRL was actually granted its first mining tenement in 1997, covering the Agata Mineral Production Sharing Agreement (MPSA) site, the company's principal nickel



Dinarawan tribe against mining in Jabonga, Agusan del Norte
Photo source: <http://taomunahindimina.files.wordpress.com/2013/04/dinarawan-tmhm-2.jpg>

Condensed from *The Mamanwa Communities of Dinarawan and Bunga: Asserting Ancestral Land Rights amidst the Challenge of the Mining Industry: A Case Study* by D. De Vera of the Philippine Association for Intercultural Development, Inc. (PAFID). For more details of the case, contact: devera.dave@gmail.com.



laterite resource. In July 2002, it applied for an additional Exploration Permit, known as the Taipan Extension, which covered the west of Lake Mainit and several areas north of the Agata MPSA, where the communities of Dinarawan and Bunga are located.

The mining tenement given to MRL covers the areas of Mt. Hilong-hilong, which spans four provinces and 20 municipalities, including Jabonga, and Lake Mainit. Mt. Hilong-hilong has been identified as a Key Biodiversity Area (KBA) – a globally significant site for preventing biodiversity loss – while Lake Mainit has been classified as a Candidate KBA and Conservation Priority Area (CPA).

Support for mining

The Local Government Unit (LGU) of Jabonga proactively promoted and supported the entry of MRL into the municipality. The main argument used to encourage and pressure the Mamanwa to agree was the amount of royalty payments they would receive once the full operations of the mining project were realized. Under the Indigenous Peoples Rights Act (IPRA), an affected indigenous community is entitled to 1% of the revenue as royalty share. The offer of jobs and development projects under the corporate social responsibility program of MRL was used as an additional incentive to get the assent of the people. However, information on the nature of the operations, its owners, coverage, and impact on the environment was scarce. Whenever available, information was in English, along with data that were incomprehensible and too complicated for the Mamanwa.

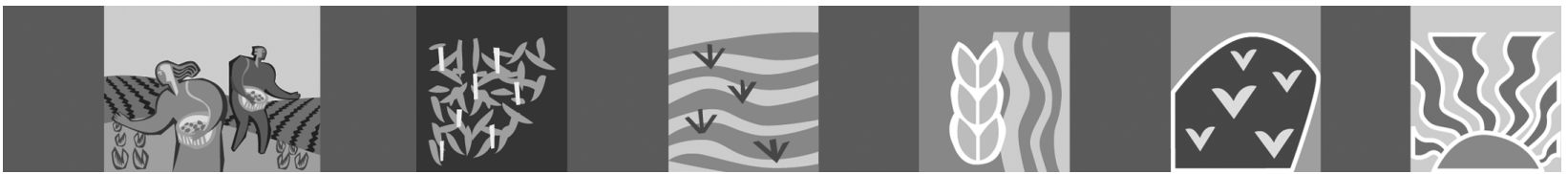
The National Commission on Indigenous Peoples (NCIP) initiated the conduct of the free, prior and informed consent (FPIC) process to comply

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with the legal requirements of the law. However, the Mamanwa questioned the selection process of the affected community leaders/members to be consulted. The elders of Sitio Bunga and Dinarawan claimed that the majority of the traditional elders were marginalized in favor of those who were more sympathetic to the mining project. One such case they cited was the non-inclusion of their traditional leader Jenoviva Culangan, a respected member of the community, in the consultation process. Moreover, the Mamanwa claimed that the whole process had been tainted with bribery as many members of the community were offered jobs by MRL, thus making them vulnerable to the demands of the company.

Opposition and arbitration

With very limited understanding of the extent and impacts of the mining operation, community members and leaders soon got into serious conflict with each other, creating divisions among the various Mamanwa clans and families. In 2008, the residents of Sitio Dinarawan conducted a general assembly to discuss their response to the



“While the Mamanwa were given ample time to express and articulate their complaints and demands, they had the perception that these were falling on deaf ears and closed minds.”

rising tensions and uncertainties brought about by the reported entry of MRL into their domain. Using whatever limited information they could access, the Mamanwa of Dinarawan agreed to unanimously sign a petition opposing the entry of MRL into their territory.

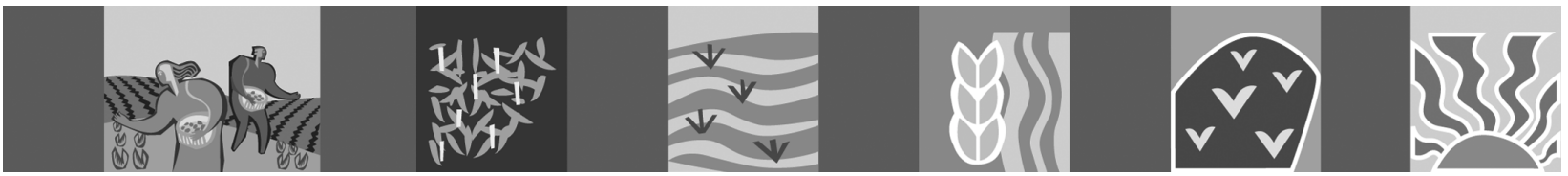
Their petition, which was sent to President Benigno Aquino III and other concerned government agencies including the NCIP and the Department of Environment and Natural Resources (DENR), cited, among others, the destruction of the lake, the encroachment on their ancestral domain, and the damage these would cause to their culture. The residents of Dinarawan and Bunga contended that mining operations were totally contradictory and inconsistent with their traditional use of natural resources in their ancestral domain. They expressed deep concern over the irreparable damage that MRL’s operations would cause to Lake Mainit, which is not only a major source of their livelihood, but is held sacred by the natives and occupies a very important role in their culture.

In 2010, tension between the Mamanwa and MRL and among the various clans and families reached a critical level. To break the impasse, the barangay LGU of Bunga initiated a dialogue with the affected Mamanwa communities to forge an

agreement and resolve the conflict. The resulting Memorandum of Agreement (MOA) included the redress of the following demands: 1) an end to the discrimination of the Mamanwa in Sitio Bunga, 2) an end to the non-recognition by the barangay LGU of the Mamanwa Tribal Council of Bunga, and 3) the recognition of Jenoviva Culangan as a leader of the Mamanwa in Sitio Bunga.

However, several incidents led the Mamanwa to believe that the MOA was ineffective and the BLGU sorely unable to compel the MRL to respect and follow the terms of the agreement. The situation was no different in neighboring Sitio Dinarawan, as the Mamanwa residents complained of the unauthorized entry and movement of MRL personnel and vehicles into their ancestral domain. The situation came to a head in the first quarter of 2011 when the Mamanwa, for the second time, convened a general assembly where, once more, petitions demanding a stoppage to all operations of MRL within Mamanwa territory were drafted and signed by the affected communities. The petitions were addressed to the President of the Philippines, the Chair of the NCIP, the Secretary of the DENR, the Office of the Mayor, and the management of MRL.

But after getting no response and action from any of them, the affected Mamanwa communities, not just in Jabonga but including the neighboring municipality of Kicharao and the affected Manobo communities, formed the Katibuan Ka Mamanwa Manobo Kicharao Jabonga (KAMAMAKIJA) or the Coalition of the Mamanwa and Manobo of Kicharao and Jabonga. The KAMAMAKIJA conducted a ritual to assess the charges and alleged transgressions of MRL and subjected these to the customary laws of the Mamanwa and Manobo. They came out with a verdict finding MRL guilty of violating Customary Laws subject to



a fine of ten carabaos, three pigs, and 100 kilos of rice.

With local venues for resolving the conflict between the Mamanwa and MRL exhausted, the affected communities turned to the outside for help. Since the MRL mining project in the CARAGA region is funded by a loan from the World Bank Group's International Finance Corporation (IFC), the advice of support groups was to elevate the community complaint to the Office of the Compliance Advisor Ombudsman (CAO), which is the independent recourse mechanism of the IFC and the Multilateral Investment Guarantee Agency (MIGA) of the World Bank Group.

The formal complaint of the Mamanwa of Dinarawan and Bunga that was submitted to the IFC-CAO reiterated the points they had raised in their first petition, and included, among others, the division among IP communities and the undue stress and fear that the mining project had caused them. Their complaint was also grounded on clear violations that were stipulated in the IFC Performance Standard 7 on Indigenous Peoples, namely the flawed implementation of the FPIC, illegal appointment of a traditional leader to represent the indigenous communities in negotiations with MRL, inadequate information provided about the mining project, and bribery and coercion by the mining company and LGU officials.

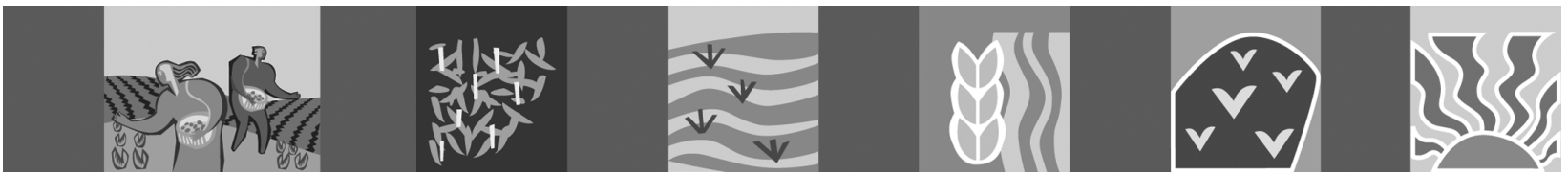
CAO recognized the complaint of the Mamanwa and proceeded to conduct a mediation process composed of two field visits, which were actively participated in by the accepted leaders of the affected Mamanwa communities. Although the role and mandate of the IFC-CAO were clearly established and most of the logistical requirements were proper and adequate, the

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facilitation and the establishment of confidence among the mediators and the community provided a lot of challenges and left much to be desired. The community felt that the mediators were more concerned with convincing them to agree with MRL and allowing the operations of the mining company in their ancestral domain. While the Mamanwa were given ample time to express and articulate their complaints and demands, they had the perception that these were falling on deaf ears and closed minds. In many instances, according to one of the Mamanwa leaders, the participants and the facilitators would gloss over the negative aspects of the mining activities and steer the conversation towards future benefits and mitigating factors rather than discuss and confront the actual complaints of the community regarding the adverse impacts of mining in their ancestral domain.¹

As the confidence of the Mamanwa in the mediation dwindled, they indicated their preference to withdraw from the process. As a result, the IFC-CAO came up with the following conclusion in their report:

¹ Interview with Randy Catarman, 2012



“... without a land-use zoning map, the Mamanwa were put at an extreme disadvantage as they could not invoke the pertinent provisions of the IPRA that would allow them to prevent extractive activities in traditional conservation and cultural, ritual, and religious zones.”

“In the course of its assessment, the CAO understood from community members that presented the complaint that they did not wish to engage in a dispute resolution process with MRL. Given the voluntary nature of a dispute resolution process, and the lack of interest and willingness of the complainants to pursue this option, the CAO Ombudsman concludes that this complaint is not amenable to resolution through a collaborative process at this point in time.”

In March 2012, the CAO Ombudsman concluded its process and referred the complaint to CAO Compliance for initial appraisal. The appraisal will determine if an audit of IFC is necessary to provide assurances to the President of World Bank and the public that the IFC is complying with the relevant social and environmental policies in regards to this project.²

Lessons learned

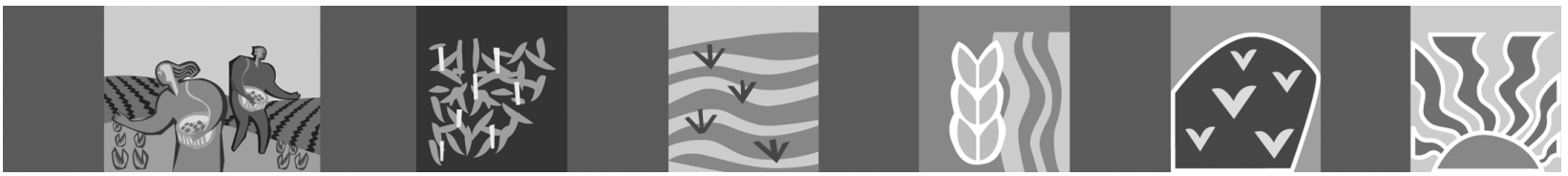
The experience of the Mamanwa communities of Bunga and Dinarawan and their efforts to secure recognition of their demands highlight the

² IFC-CAO Assessment Report, 2012

overlapping jurisdiction and conflicts in land use because of the lack of a National Land Use Act. In the absence of such a framework, priorities have never been formally established with regard to the disposition of land and resources in the Mamanwa Domain. The Mines and Geosciences Bureau (MGB) continues to classify it as a highly mineralized zone and offers it to the proper bidder for extractive activities. The Mamanwa case in Jabonga is a microcosm of what is happening around the country today. A National Land Use Act has to be enacted immediately if we are to save what remains of our biodiversity.

While the IPRA has been in force for the last 15 years, there is still a lot of room for improvement in implementing and operationalizing many of its progressive provisions. For instance, the lack of a Certificate of Ancestral Domain Title (CADT) and a perimeter survey of the Mamanwa communities was used as a point against their case. MRL repeatedly asserted that the absence of any overlap in the coverage of the mining operations did not legally compel them to go through an FPIC process. Furthermore, without a land-use zoning map, the Mamanwa were put at an extreme disadvantage as they could not invoke the pertinent provisions of the IPRA that would allow them to prevent extractive activities in traditional conservation and cultural, ritual, and religious zones. Thus, it is highly recommended that the NCIP expedite and prioritize CADT applications, and support the formulation of the Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) with proper Land-Use Zoning Maps in highly mineralized areas. This will provide IP communities with the proper support and prevent situations where they are put at an extreme disadvantage.

The established royalty share of the affected IP community, which is pegged at 1% of the



revenue, is extremely low compared to the potential adverse impact on the community once a mining operation starts. In ancestral domains where extractive activities are already on-going, an increase in royalty shares/payments must be seriously explored, and the State must ensure enhanced transparency and accountability in the accounting, distribution, and reporting of these payments and their use by the indigenous communities.³

The objectives of Traditional Land and Resource Governance are consistent with the objectives of the CPA and KBAs as embodied in the national Biodiversity Strategic Action Plan of the government. While the methods and motivations might be different, the outcomes of both governance modes will result in the conservation and protection of the Mt. Hilong-hilong range and Lake Mainit, and their environs. It is highly recommended that the government support the CADT application of the Mamanwa communities in Hilong-hilong and Lake Mainit, and support the formulation of their ADSDPP that includes an enhanced Community Conservation Plan to ensure the sustainability of traditional knowledge in the conservation of biodiversity. ■

³ Garganera, Jesus Vicente: UNIPP Country Paper

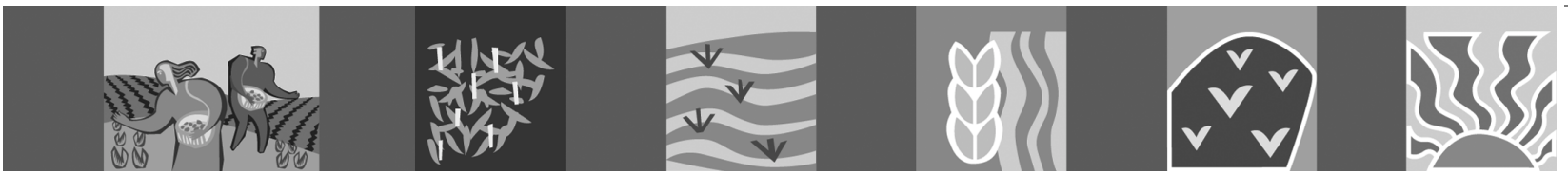
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For the complete list of references, please contact the author of this case as indicated at the beginning of the article.



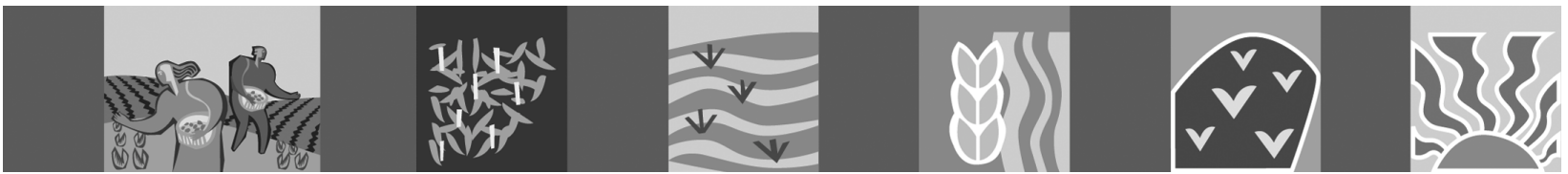
Recommended principles on responsible agricultural investments (rai)

Agriculture in the Philippines, as in many Asian countries, experienced a decline of investments from the 1980s until the early 2000s. This phenomenon, compounded by distorted policies and low public spending, resulted in low productivity and made the sector uncompetitive. The high incidence of poverty, particularly rural poverty, is attributed to this occurrence. Agricultural land also became vulnerable to other commercial interests such as tourism, settlements, and industrialization.

The recent increasing global demand for food and bio-fuel, however, has reinstated agriculture in the economic agenda. Investments are back and on the rise despite constitutional and policy constraints. This is further bolstered by the nation's commitment to ASEAN Economic Integration by 2015 that will open up the nation's economy to regional competition including that of agriculture.

Unfortunately, reports on expanding private agricultural investments have not been received well by some sectors. Obscure negotiations, non-compliance with existing policies, and overlapping jurisdictions of agencies threaten the tenure security and rights of farmers, fishers, and indigenous communities. This sounds an alarm, as agriculture is not simply a business proposition but carries with it a significant social agenda for national development.

Prepared by Roel R. Ravanera in behalf of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) for the Philippine Development Forum – Working Group on Sustainable Rural Development (PDF-SRD), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), and the Food and Agriculture Organization (FAO).



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It is recommended that the Philippine government institute the necessary regulatory systems and mechanisms to govern land investments, recognizing that rural farming and fishing communities are diverse. Moreover, there is a need for affected farmers and fishers to be empowered and given the necessary support.

While crafting specific policies and programs would have to take a number of factors into consideration, a set of principles can be agreed upon as a guide and reference. These seven principles outlined below are based on regional and national consultations participated in by various stakeholders. These also take into consideration relevant documents such as the Committee on World Food Security’s (CFS) Voluntary Guidelines on the Governance of Tenure (VGGT), the World Bank’s Principles on Responsible Agricultural Investments (RAI), zero draft of the on-going CFS process, civil society case studies on large-scale land acquisitions, assessment of the status of Philippine agriculture, and land-related laws of the Philippines. The rai are not to be confused with the World Bank’s RAI. This brief articulates Philippine civil society groups’ recommendations to the ongoing rai processes facilitated by CFS.

This article is intended to recommend a set of principles for rai as a collective input to various stakeholders in the Philippines to the CFS-initiated global consultation.¹

¹ As of the time of printing of this publication, the first session of the CFS (Rome, Italy; 15 October 2014) adopted

Principle 1

Responsible agricultural investment has the free, prior, and informed consent (FPIC) of communities that will be affected by investments.

Concerned individuals and communities give their free, prior, and informed consent to any proposed investment. To realize this, mandated government agencies require investors to provide sufficient and accurate information (including market information). Investment proposals are subjected to consultations through appropriate mechanisms, such as the Fisheries and Aquatic Resources Management Councils and other similar bodies.

Prior to any agreement, investment contracts are directly negotiated with farmers/landowners/communities under the supervision of the mandated government agency. These agreements are then signed by all parties and made publicly accessible.

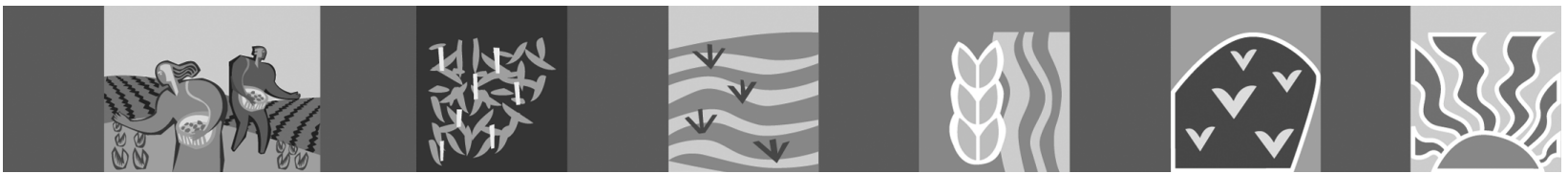
In support of these processes, government agencies including local government units apply the necessary regulations, clear standard procedures, and reliable record systems in a consistent manner free from political influence. They ensure that investments have an unquestionably positive impact on the community and that the benefits and risks are properly shared.

Principle 2

responsible agricultural investment upholds land tenure security and respects human rights.

Investment agreements do not in any way diminish the tenure status and security of the farmers, their spouses, family members, and other

the Principles for Responsible Investment in Agriculture and Food Systems.



“Investment agreements do not in any way diminish the tenure status and security of the rightful owners of the land.”

rightful owners of the land. Arrangements and mechanisms such as joint ventures, management contracts, and marketing agreements are monitored and regularly reviewed to avoid farmers unknowingly surrendering these rights via legal documents.

Investments, particularly in project implementation, do not infringe on the community members’ basic human rights. They adhere to international treaties and to national government regulations and laws. Child labor is avoided and male and female workers are treated in a fair and non-discriminatory manner.

Principle 3
responsible agricultural investment settles disputes in a fair, effective, and timely manner.

Conflicts, whenever they arise, are addressed transparently, expeditiously, fairly, and in a non-discriminatory manner. This presupposes that justice grievance mechanisms to settle disputes are present, equally accessible (preferably done at the local level), and affordable to all individuals or groups potentially affected by agricultural investments.

A mechanism is in place that systematically monitors compliance with resolutions or agreements reached by contending parties. Government provides the necessary support to farmers, fishers, and indigenous communities to ensure that they are properly represented.

Principle 4
responsible agricultural investment uses natural resources sustainably, contributing to climate change mitigation and adaptation.

Agricultural investments should promote sustainable agriculture practices and efficiency of the food system along the goals of the Philippine Organic Agriculture Act. Positive impacts on the environment are considered and strengthened, while negative impacts are mitigated.

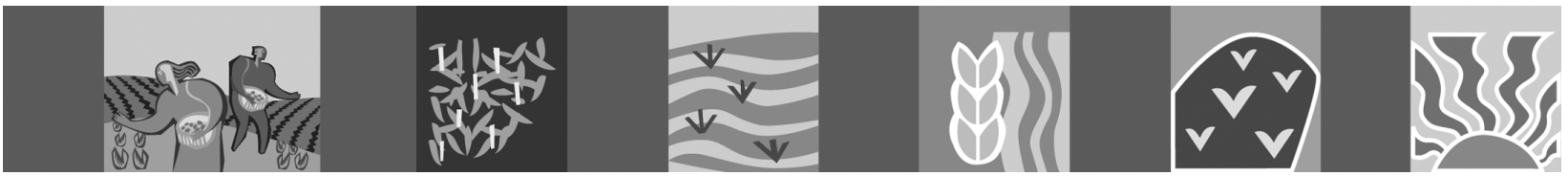
Environmental policies and systems such as environmental impact assessments are strictly complied with to determine potential positive and negative impacts. Investors and government agencies recognize the varied impacts of climate change and institute provisions for risk-sharing and social protection. Multi-stakeholder monitoring for compliance is encouraged and instituted.

The resilience of agriculture, food systems, and related livelihoods in the face of short- and long-term effects of climate change is increased through mitigation and adaptation measures.

The People’s Survival Fund Law (RA 10174) has prioritization criteria in place for adaptation interventions.

Principle 5
responsible agricultural investment respects women, cultural heritage, landscapes, traditional knowledge, and customary laws.

Responsible agricultural investment recognizes the vulnerability of women and other disadvantaged groups, and establishes the necessary precautionary measures to protect their rights and interests.



Agricultural investments respect the diverse rural lifestyles and landscapes, acknowledging their long-term economic, social, and environmental benefits. In particular, investments value and support traditional knowledge, the preservation of endemic flora and fauna, and cultural heritage with respect to local food systems. Also, religious sites are safeguarded.

This is consistent with the VGGT provision which states that “In the case of indigenous peoples and their communities, States should ensure that all actions are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments, including as appropriate from the International Labour Organization Convention (ILO No. 169) concerning Indigenous and Tribal Peoples in Independent Countries and the United Nations Declaration on the Rights of Indigenous Peoples”.

Principle 6
responsible agricultural investment improves the livelihood of men and women, and safeguards people’s food security and nutrition.

Subsistence farmers and small-scale producers, many of whom are women, constitute the backbone of Philippine agriculture that ensures the country’s food security. In turn, the land provides them with employment, a means of livelihood, and a habitat for a decent and contented community life. Agricultural investments serve to improve their livelihoods and create jobs consistent with the policy framework of inclusive growth.

Agricultural investments enhance the productive capacities of smallholder farmers and producers. This is achieved by strengthening value

generation at different stages in the agriculture and food systems, improving access to markets, and satisfying the community’s nutritional needs. Research is carried out to support these initiatives.

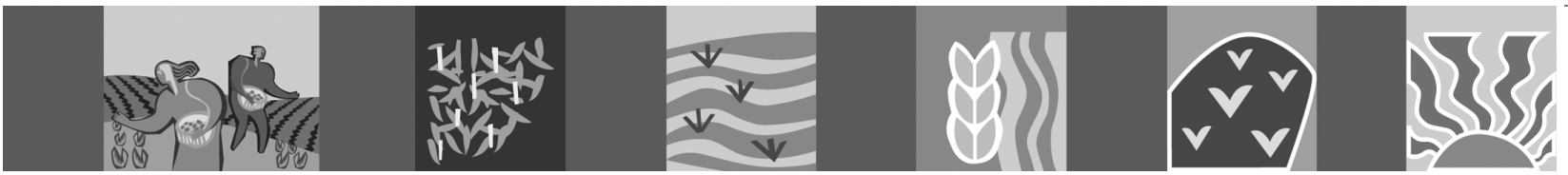
Overall, agricultural investments contribute to and strengthen national food security and nutrition.

Principle 7
Complementary policies and programs support responsible agricultural investment.

The objective of enhancing food security and nutrition is consistently addressed and is not undermined by other policies and regulations, particularly those covering governance of resources. Investment policies such as those implemented by the Department of Trade and Industry-Board of Investments (DTI-BOI), the Philippine Economic Zone Authority (PEZA), and local government units (LGUs) are attuned with the proposed rai principles. Congruent policies, such as the Comprehensive Land Use Plan and the Philippine Organic Agriculture Act, are promoted and incentives are provided for good practices.

Relevant public-sector institutions at the national and local levels are well informed, provided with the necessary training and resources, and act in a coordinated manner to create synergy and avoid conflicting measures. All relevant services are accessible, with special attention and priority given to the vulnerable groups.

A substantial number of laws exist to ensure responsible agricultural investments. An effective monitoring mechanism is instituted to ensure that these laws are complied with and implemented. ■



Implementing the Right to Information Act in Bangladesh: Opportunities and Challenges

“Every citizen has a right to information from the Authority and the Authority shall on demand from a citizen be bound to provide information.”
– Section 4 of the Right to Information.

Bangladesh’s Right to Information Act (RTIA) was passed in Parliament on 29 March 2009. It received the President’s assent on 5 April in that same year, and was noted a day after in the Gazette. It became functional on 1 July 2009, and an Information Commission (IC) was formed. The RTIA specifies that one commissioner has to be a woman.

Compliance with international standards

The RTIA complies with international standards, such as: the Universal Declaration of Human Rights (Article 19 guarantees freedom of thought, conscience, speech, and the press); the International Covenant on Civil and Political Rights (ICCPR) [Art. 2 recognizes the RTI as a human right]; the International Covenant on Economic, Social, and Cultural Rights (ICESCR) [States are to respect fundamental rights rooted in universal principles of human dignity and equality]; the Convention to End All Forms of Discrimination against Women (CEDAW); and the Convention on the Rights of the Child (CRC) [upholds the right

What is “information”?

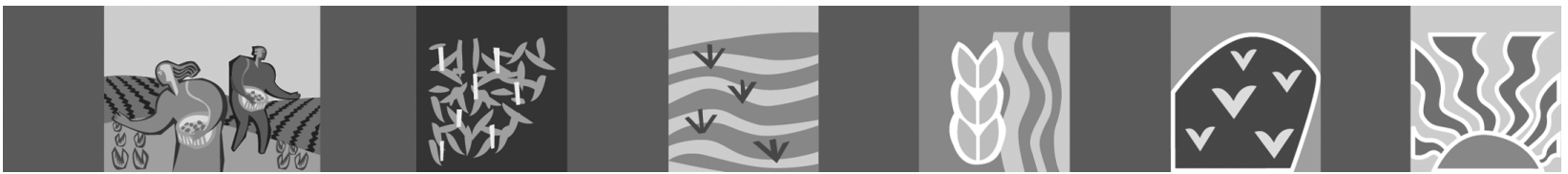
According to the RTIA, information *relates to an Authority’s constitution, structure and official activities*. This includes any:

Memo, book, design, map, contract, data, log book, order, notification, document, sample, letter, report, accounts statement, project proposal, photograph, audio, video, drawing, film, any instrument prepared through electronic process, machine readable documents and other documentary material regardless of its physical form or characteristics.

Official information does not include office note sheet or photocopies of note sheets.

Authorities are not obliged to share certain kinds of information, for example information related to foreign policy and information that, when disclosed, would threaten national security; benefit or harm an individual or institution (e.g., advance information on income tax, customs, changes in exchange rate); or obstruct the enforcement of law, to name a few cases.

by Dr. Sadeka Halim, Information Commissioner



to information and freedom of expression by women and children].

RTI in Bangladesh

The freedom of thought, conscience, and speech is recognized in Bangladesh’s Constitution as a fundamental right. The right to information is an inalienable part of it. Since all powers of the Republic belong to the people, it is necessary to ensure the right to information for their empowerment. Information ensures transparency and accountability of all public, autonomous, and statutory organizations and of other private institutions. It also helps reduce corruption in these organizations.

Parties involved in the RTI are: applicants seeking information; designated officers (DOs) who provide information; the Appellate Authority, and the Information Commission (IC), a quasi-judicial body.

Those seeking information must apply in writing or by email to the DO, indicating their name, a correct and clear description of the information sought, any useful and related information that might help in locating the requested information, and the description of the method by which the information is sought, namely by inspecting, taking notes, or any other approved method.

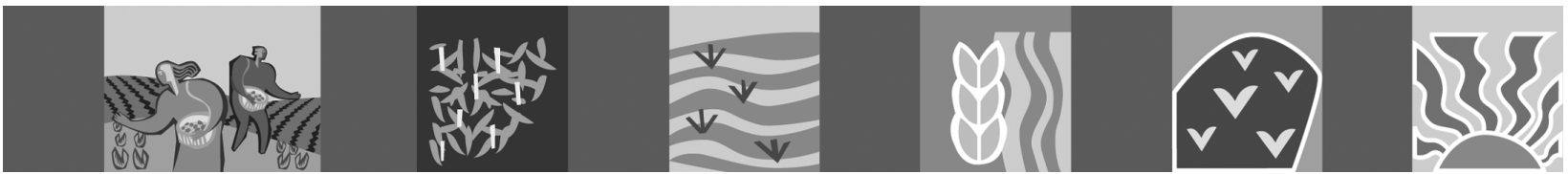
Expected outcomes of RTI

The RTI is a powerful instrument that communities can use to seek information in a very structured way. Its expected outcomes are:

- Recognition of the constitutional rights of citizens
- A challenge to the culture of secrecy
- Changes in the mindset of government officials/NGOs
- People’s empowerment; breaking the culture of silence (people begin to talk about it)
- Reduced corruption
- Improved governance
- Strengthening of democracy
- Ensuring best use of resources; strengthening service providers
- Reduced poverty and ensured transparency and accountability of all government, non-government, and autonomous organizations
- The people’s exercise of the right to know through the RTI:
 - Who is responsible for what – a difficult task as many people do not know where to go to demand information
 - How much money is allocated for specific work, plans, and projects
 - What initiatives are being taken by the government and NGOs
 - How to access documents and records

Furthermore, proactive disclosure has several advantages for both the people and the public authorities:

For the people	For the public authorities
<input type="checkbox"/> Improves access to authentic, useful, and relevant information	<input type="checkbox"/> Minimizes time, money, and effort required by the public to access important but routine information
<input type="checkbox"/> Helps people to understand better what information they can access and how to seek it	<input type="checkbox"/> Reduces the number of requests for information, thereby reducing the administrative burden on government
<input type="checkbox"/> Helps citizens play an effective role in local governance through informed participation	<input type="checkbox"/> Enables structuring of large volumes of information in an easily comprehensible format



Positive impacts

Since the Act was passed, people have started to apply for information. In 2010, 23,000 applications were submitted. However, not all cases complied with the correct format and were therefore not accepted.

The Information Commission – which works together with some NGOs to serve both the supply (government) and the demand (public) side – is increasingly receiving complaints and conducting hearings. In 2010, it received more than 500 complaints, almost 21% of which were land related.

Challenges in implementing the RTI in Bangladesh

Many challenges still stand in the way of implementing the Right to Information Act in Bangladesh:

- ❑ Mainstreaming the RTI in code of conduct
- ❑ Making the legal system RTI-friendly – occasional analysis and review, harmonization of existing laws with the RTIA to remove inconsistencies
- ❑ Strengthening political will and commitment
- ❑ Ensuring institution building of the IC with adequate resources
- ❑ Ensuring appointment of designated officers in all public/autonomous and non-government offices
- ❑ Developing records management and web-based databases
- ❑ Adopting a pro-poor strategy for raising awareness about the RTI and its use – e.g., establishing community e-centers at all levels
- ❑ Establishing a central and local monitoring mechanism to oversee effective implementation of the RTI

- ❑ Breaking down resistance from within
 - Civil officials – reduced discretion
 - Politicians – abuse of power
 - Businesses – vested interests
 - Media – reduced scope to manipulate information for vested interests
 - NGOs, civil society – polarization and lack of unity
- ❑ Taking on the long-term process of ensuring people's right to information – It needs unending commitment and effort from different actors who have to be prepared to cope with setbacks and frustrations.
- ❑ Building the creative capacity needed to face challenges
- ❑ Taking lessons from experiences of what works and what does not
- ❑ Learning by doing, backed up by a continuous process of innovation and creativity

Some advice for CSOs

Certain laws may have rules prohibiting giving information. If there is a law on the freedom to information, this should supersede all other conflicting laws. This is what you have to fight for.

Also, there are ways of obtaining critical information, even from organizations not included in the RTI, such as private mining companies. But NGOs can approach the ministry responsible for mining applications, and obtain the necessary information. ■



ANGOC

Founded in 1979, ANGOC is a regional association of 16 national and regional networks of non-government organizations (NGOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGOC member networks and partners work in 14

Asian countries with an effective reach of some 3,000 NGOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy debates with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is a founding member of the International Land Coalition (ILC). ANGOC is the regional convenor of the Land Watch Asia (LWA) campaign and the Asian Alliance Against Hunger and Malnutrition (AAHM-Asia). ANGOC is also a member of the Global Land Tool Network (GLTN) and the Indigenous Peoples' and Community Conserved Territories and Areas (ICCA).



As the overseas development agency of the Catholic Church in Germany, MISEREOR works

in partnership with all people of goodwill to promote development, fight worldwide poverty, liberate people from injustice, exercise solidarity within the poor and persecuted, and help create "One World".

MISEREOR supports projects and promotes local initiatives in Africa, Asia and Latin America, irrespective of nationality, religion or gender.

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