

# Pakistan

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The Constitution of Pakistan did not contain an explicit guarantee for the right to information until 2010, when Pakistan amended its Constitution to include an explicit “right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law” as a fundamental right (Art. 19A). However, some other laws provided limited access to information from local authorities. For example, the Local Governance Ordinance passed in 2001<sup>1</sup>, contains limited provisions for obtaining information from local government authorities.

In October 2002, Pakistan promulgated the Freedom of Information Ordinance 2002 (FOI Ordinance),<sup>2</sup> which applies only to federal ministries and attached departments, and later prolonged the life of the Ordinance by constitutional decree. It was not until 2004 that Pakistan produced rules for implementing the FOI Ordinance. The FOI Ordinance has been criticized for falling short of international standards for the right to information. However, attempts to introduce new legislation have failed.

In October 2004, the National Assembly rejected an attempt by the opposition party to introduce a Freedom of Information Bill. Four years later, in the summer of 2008, the release of a Freedom of Information Bill sparked discussion and recommendations from civil society. CHRI contributed to this debate with a brief analysis of the contents of the Bill.<sup>3</sup> However, the Bill never passed muster in Parliament.

On 11 October 2011, Sherry Rezman introduced another Right to Information Bill in the National Assembly as a private member's bill. The Bill has been referred to a standing committee of the House for further deliberation.

After the Constitution was amended to provide an explicit guarantee for the right to information, Sherry Rezman, MP moved a draft Right to Information Law in the National Assembly in July 2010. The Government pledged to replace the Freedom of Information Ordinance 2002, and stated that they would finalise a draft Bill in February 2011. When the Government failed to finalise a draft Bill, activists held a demonstration in Islamabad on March 17, 2011.

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<sup>1</sup> [http://www.humanrightsinitiative.org/programs/ACT/Pakistan/Local Government Ordinance 2001.pdf](http://www.humanrightsinitiative.org/programs/ACT/Pakistan/Local%20Government%20Ordinance%202001.pdf)

<sup>2</sup> [http://www.humanrightsinitiative.org/programs/ACT/Pakistan/Pakistan - FOI Ordinance Oct 2002.pdf](http://www.humanrightsinitiative.org/programs/ACT/Pakistan/Pakistan%20-%20FOI%20Ordinance%20Oct%202002.pdf)

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[http://www.humanrightsinitiative.org/programs/ai/rti/international/laws\\_papers/pakistan/pak\\_foi\\_bill\\_preliminary\\_analysis\\_&\\_recommendation.pdf](http://www.humanrightsinitiative.org/programs/ai/rti/international/laws_papers/pakistan/pak_foi_bill_preliminary_analysis_&_recommendation.pdf)

Two of the four provinces in Pakistan have enacted freedom of information laws. Balochistan enacted its Freedom of Information Act in 2005, and Sindh has enacted the Sindh Freedom of Information Act 2006. Neither Punjab nor Khyber Pakhtunkhwa have freedom of information legislation, however the provincial government of Punjab has drafted the Punjab Freedom of Information Act 2010.