

# Sri Lankan government presents phony “Right to Information” bill

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The Sri Lankan government presented a Right to Information Bill (RTI) to parliament last month, declaring that it was a “significant democratic achievement” that allowed citizens to seek the release of government-held information.

In reality, the legislation provides limited access, while entrenching broad areas that will remain off-limits, including on any matters that affect the national security, diplomacy or the economy of the country—a de facto form of censorship.

The legislation is long overdue. During the presidential election in January last year, Maithripala Sirisena promised to establish a Right to Information law as part of the so-called 100-day plan when he achieved office. The campaign propaganda sought to present Sirisena as the democratic alternative to the autocratic methods employed by President Mahinda Rajapakse who was defeated.

Sirisena, a cabinet minister in the Rajapakse government until late 2014, used such promises to obscure the anti-democratic character of the US-backed regime-change operation to remove Rajapakse. Washington did not object to Rajapakse’s trampling on democratic rights, but rather to his close ties with Beijing, and helped install Sirisena in order to bring Sri Lanka into the US “pivot to Asia” against China.

The crucial second section of the new bill deals with “denial of information,” which provides for sweeping exclusions to the disclosure of government information. These include anything that “would undermine the defense of the State or its territorial integrity or national security.”

A related clause prohibits the disclosure of information that “would be or is likely to be seriously prejudicial to Sri Lanka’s relations with any State or in relation to international agreements or obligations

under international law, where such information was given by or obtained in confidence.”

Defence of the state, territorial integrity and national security has been repeatedly used by successive governments as pretexts not only to suppress information but also to take other repressive actions. During the protracted communal war against the separatist Liberation Tigers of Tamil Eelam (LTTE), government opponents were branded as “traitors” and jailed, tortured or killed.

Sirisena was part of the Rajapakse government that was responsible for human rights atrocities and war crimes. Prime Minister Ranil Wickremesinghe, who was installed by Sirisena, leads the United National Party (UNP) that started the war and has its own long record of human rights abuses.

The government’s decision to deny access to information on relations with states, international agreements and obligations is significant. While secret diplomacy between nation states is not unusual, it is particularly sensitive in Sri Lanka at present.

Since taking office, the Sirisena-Wickremesinghe government has rapidly shifted the country’s foreign policy into the camp of US imperialism and strengthened military ties not only with the United States but also with India.

Over the past year, a stream of high-level US officials have visited Sri Lanka to consolidate relations. In February, the first US-Sri Lankan Partnership Dialogue meeting was held in Washington to discuss issues including, “security cooperation, international and regional affairs.”

The last thing that Colombo wants revealed is just how closely Sri Lanka is being tied into US war planning against China. The political and media establishment has kept a lid on public discussion on the

implications of Washington's accelerating military provocations and preparations for fear of triggering protests by workers and youth who have a long tradition of opposing imperialism and imperialist war.

The "denial of information" also applies to: "the disclosure of such information could cause serious prejudice to the economy of Sri Lanka by disclosing prematurely decisions to change or continue government economic or financial policies relating to exchange rates or the control of overseas exchange transaction; the regulation of banking or credit; taxation; the stability, control and adjustment of prices of goods and services, rent and other costs and rates of wages, salaries and other income; or the entering of overseas trade agreements."

In other words, the government intends to ban the release of virtually all information related to economic activity. Access to information on matters of commercial confidence, trade secrets, communication between professionals and public authority, confidential fiduciary relations and overseas trade agreements, including those under negotiations, are also denied.

These issues are also highly sensitive politically. Sri Lanka has been battered by the global economic slump and the government faces a serious balance of payment crisis and debt problems. An International Monetary Fund (IMF) team has arrived in Colombo and on Saturday will hold talks on its economic restructuring demands.

As in Greece, the IMF will certainly recommend another round of severe austerity measures including higher taxes, further cuts to welfare subsidies and the privatisation of state-owned enterprises. Under conditions of mounting popular hostility to deteriorating social conditions, the government wants to make sure that discussions such as those with the IMF remain secret.

Under the legislation, the government will establish a "Right to Information Commission" to rule on whether information should be released, and will appoint information officers in the various government institutions to provide or deny information.

The Commission will have broad judicial powers and its deliberations will be "deemed to be a judicial proceeding." It is similar to the Bribery Commission set up under the Bribery Act and has the power to

compel people to appear before it.

The draft bill has not specified what legal action could be taken if information denied by government bodies and the commission is published or disclosed by political opponents or the media. But the implication is that any breach of the commission's rulings will be a punishable offence.

The "right to information" has long been anathema to the ruling class and its governments not only in Sri Lanka but in every country internationally. Under conditions of growing economic and social crisis, governments are more and more suppressing democratic rights and resorting to police state measures.

The Right to Information bill in Sri Lanka is not an exception to the rule. Behind its threadbare democratic façade, the Sirisena-Wickremesinghe government has maintained the extensive security apparatus built up in decades of communal war and will not hesitate to use it to suppress the opposition of working people to its agenda of austerity and war.



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