



ANNUAL STATUS REPORT – 2015

PROGRAM BRIEFING

Right to Information Unit



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Status Briefing

The Vanuatu National Right to Information (RTI) Policy was approved in 2013, and officially launched in 2014. The Policy envisaged the establishment of an RTI Unit within the OGCIO to take advantage of the synergies between information technology infrastructure development and content management and dissemination. The RTI Unit was formally established in July 2015 with the recruitment of a temporary RTI Unit Manager and further enhanced with the commencement of an RTI Records Management Officer in November 2015. While the temporary RTI Unit Manager subsequently resigned, OGCIO has moved quickly to recruit a replacement, and this has not impeded progress on RTI implementation. The Unit has built on the groundwork of the RTI Steering Committee to establish networks with key stakeholders within and outside Government, and to commence RTI implementation in earnest. In the short period since its establishment, significant progress has been achieved in some areas, notably:

- briefing and obtaining the support of key stakeholders, including the Prime Minister
- identification of Ministries to be part of the first phase of RTI implementation, once the legislation is in place
- development of a test version RTI information request portal and tracking system
- strengthening of the RTI Steering Committee and provision of permanent secretariat support to enable it to carry out its functions
- public outreach and stakeholder engagement, and
- records and information management.

However, some external factors are impeding more rapid implementation of some core aspects of the RTI Policy. These core aspects include:

- finalisation of the RTI Bill and passage into legislation
- finalisation of the RTI Implementation Plan for publication
- sensitisation/awareness raising within the public sector.

This year has provided for the foundations of RTI implementation across the public sector. While there are some risks to the implementation of some aspects of the Policy, 2016 will be a critical time for building on these foundations. With a fully operational RTI Unit and establishment of the Office of the Information Commissioner expected to be completed in 2016, progress will be expedited.

Major Accomplishments 2015

Activities	Accomplishments
GOVERNANCE AND ADMINISTRATION	
RTI Unit	
RTI Unit recruitment and commencement of operations	<ul style="list-style-type: none"> • The OGCIO and Office of the Prime Minister received a grant from the UNDP and UNODC under the United Nations Pacific Region Anti Corruption Programme (UNPRAC) to partly fund recruitment to the RTI Unit Manager position • Temporary recruitment to two positions within the Unit has enabled RTI implementation to commence in 2015, prior to formalisation of dedicated funding for the Unit, which will commence in 2016. These key positions, the RTI Unit Manager and RTI Records Management Officer, are the two most critical roles in the early stages of implementation to address the priority areas of planning, legislation and records and information management. • The commencement of an Australian Volunteer for International Development (AVID) volunteer as Information Policy Support Officer to provide capacity development assistance in policy implementation has also provided essential support for this foundation period. • The RTI Unit is now established, with dedicated office systems and procedures, including the development of a comprehensive RTI Unit Records Management (RM) Policy, guidelines and record plan. These have been developed to assist the Unit but also to provide a working model for other agencies as they develop good RM practices. • The RTI Unit has also worked with OGCIO staff to develop a corporate logo and badging to create a professional and distinctive profile for use in all communications with Government agencies and the public.
RTI Steering Committee	
<ul style="list-style-type: none"> • Terms of Reference included in draft RTI legislation • Appointment of expanded membership • Provision of secretariat support 	<ul style="list-style-type: none"> • The RTI Unit drafted terms of reference for the RTI Steering Committee to be included in the RTI legislation. This will provide legal recognition of the Committee as the key oversight body for RTI implementation • On the advice of the RTI Steering Committee and the RTI Unit, the Prime Minister appointed new members to the Committee in 2015 to strengthen the member base with the addition of members from the Ministry of Finance and Economic Management, the Public Service Commission and the Vanuatu Chamber of Commerce and Industry. They join sitting members from the Office of the Prime Minister, Ministry of Justice and Community Services, State Law Office, Office of the Ombudsman, Transparency International Vanuatu, Vanuatu Association of Non Government Organisations and the Media Association Vanuatu • The establishment of the RTI Unit now provides for a permanent, dedicated secretariat to support the work of the RTI Steering Committee • The RTI Unit developed an options paper for consideration by the RTI Steering Committee on possible enforcement mechanism for inclusion in the RTI legislation. This enabled the

	<p>Committee to choose the model most appropriate to the Vanuatu context, an independent Information Commissioner, accountable directly to the Parliament.</p>
<ul style="list-style-type: none"> Drafting anti corruption committee terms of reference 	<ul style="list-style-type: none"> The RTI Unit has provided assistance to the Ministry of Justice and Community Services by developing draft terms of reference for a national anti corruption committee.
PLANNING AND IMPLEMENTATION	
<ul style="list-style-type: none"> UNDP RTI Technical Advisor intensive visit June 2015 	<ul style="list-style-type: none"> The UNDP provided the RTI Unit and OGCIO with technical assistance to kick-start the RTI implementation process. This advice included development of an initial implementation plan in consultation with key stakeholders and provided a range of recommendations to assist with the early stages of RTI implementation.
<ul style="list-style-type: none"> Update and improve on RTI Bill drafted in 2012 	<ul style="list-style-type: none"> The RTI Unit has worked with the RTI Steering Committee and the State Law Office to finalise the RTI Bill for presentation to Parliament. The Bill has been simplified and there have been significant amendments to ensure that Proactive Publication is more prominent and also that the RTI Steering Committee is included as part of the governance structure for RTI. The Bill now also includes provisions to ensure that the powers of the Information Commissioner are sufficient to enable effective enforcement of the provisions of the legislation when it is enacted.
<ul style="list-style-type: none"> Prime Minister's Briefing on the RTI Bill and RTI Unit 	<ul style="list-style-type: none"> The RTI Steering Committee Chairman and RTI Unit provided a briefing on the RTI Bill to the Prime Minister and the Director General of the Office of the Prime Minister. The Prime Minister provided support for RTI implementation and advised the Attorney General to ensure the RTI Bill be a priority for the Parliamentary Counsel to finalise. The Prime Minister issued a Circular to all Directors General and senior executive level public servants informing them of the commencement of RTI Implementation and the establishment of the Unit.
<ul style="list-style-type: none"> First Phase Ministries identified through liaison with OGCIO and National Archives representatives, and recommendations of the UNDP RTI Technical Advisor 	<ul style="list-style-type: none"> The RTI Unit identified ministries/agencies which could be ready to implement RTI as part of the 'First Phase' of implementation upon enactment of the RTI legislation. This preparatory work has helped to narrow the focus of the Unit to a few key Ministries for intensive work on baseline assessments, records and information management, sensitisation and organisation action planning. The RTI Unit provided a briefing to the Director General of the Office of the Prime Minister in preparation for the commencement of sensitisation of public officials in selected 'First Phase' agencies.
<ul style="list-style-type: none"> Office of the Information Commissioner draft organisation structure, budget, targets and indicators 	<ul style="list-style-type: none"> The RTI Unit developed model organisation structure, budget, targets and indicators for the Office of the Information Commissioner. This will enable the Unit to work with the Office of the Prime Minister and the RTI Steering Committee to establish this important body once the RTI legislation is passed.
TRAINING	
<ul style="list-style-type: none"> Commencement of discussions to develop modules on RTI for inclusion in public sector induction and management training 	<ul style="list-style-type: none"> The RTI Unit liaised with representatives from the Vanuatu Institute of Public Administration (VIPAM) and the Pacific Islands Centre for Public Administration at the University of the South Pacific to commence work on development of training modules

to be included in VIPAM's induction and management training.

RECORDS AND INFORMATION MANAGEMENT

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| <ul style="list-style-type: none"> MOU with Archives to work together on RIM | <ul style="list-style-type: none"> OGCIO and National Archives of Vanuatu signed a Memorandum of Understanding in November 2015, to facilitate collaboration on records and information management (RIM) across the public sector |
| <ul style="list-style-type: none"> Terms of Reference for National Committee to establish national RIM standards | <ul style="list-style-type: none"> The RTI Unit worked with the National Archives to draft terms of reference for a national committee to develop a national RIM policy and standards for adoption across the public sector. Nominations for the Committee will be finalised in early 2016 |

ICT and SYSTEMS

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| <ul style="list-style-type: none"> Develop and test Information request web portal and tracking system | <ul style="list-style-type: none"> The RTI Unit worked with OGCIO development experts to develop an information request web portal and tracking system. The system is still in development, with an initial version ready for testing. |
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PUBLIC OUTREACH AND STAKEHOLDER ENGAGEMENT

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| <ul style="list-style-type: none"> RTI Unit presentations and consultations with stakeholders | <ul style="list-style-type: none"> Significant progress in undertaking public outreach and stakeholder engagement has been made. The RTI Unit has provided presentations and conducted consultations on RTI with: <ul style="list-style-type: none"> PACMAS Reporting on Budgets and Finance media workshop, Port Vila, June 2015 Vanuatu Youth Livelihood Network meeting (Pacific Leadership Program), Port Vila, October 2015 Vanuatu Civil Society Disability Network meeting (Pacific Leadership Program), Port Vila, November 2015 Transparency International Vanuatu RTI Awareness Workshop, Santo, November 2015 Vanuatu Youth Integrity Workshop (UNDP/UNODC UNPRAC Programme), Port Vila, December 2015. These have provided a great opportunity for the Unit to become known amongst key stakeholder groups, for the right to information to be discussed, and RTI implementation in Vanuatu to be enhanced through community and stakeholder input. |
| <ul style="list-style-type: none"> RTI Unit provided briefing and speech notes to Prime Minister for Press Conference to address the Vanuatu media on freedom of expression. | <ul style="list-style-type: none"> In August 2015, the RTI Unit provided a briefing to the Prime Minister to assist in preparation for a media conference held to discuss media freedom, freedom of expression and the responsibility of the media to report accurately. The Prime Minister talked about the development of RTI Vanuatu as one good example of the Government, civil society and media working together. This was an important public acknowledgement of the work of the Government and its partners in developing an inclusive RTI regime |
| <ul style="list-style-type: none"> Media engagement has included dissemination of media releases on the establishment of the Unit, the MOU between OGCIO and National Archives, a meeting with the Media Director of Daily Post Newspaper and the appearance by RTI Unit on radio program to mark International Right to Know Day | <ul style="list-style-type: none"> The RTI Unit's media engagement has resulted in: <ul style="list-style-type: none"> extensive media coverage of the establishment of the RTI Unit extensive coverage of the signing of the agreement with the National Archives to result in better records and information management, and the opportunity to discuss RTI on the day recognised internationally to promote access to information. |

<ul style="list-style-type: none"> International Anti Corruption Day Celebration 9 December 2015 	<ul style="list-style-type: none"> The RTI Unit was part of the organising committee for International Anti Corruption Day 2015, in collaboration with the Prime Minister's Office, the Ministry of Justice and Community Services and Transparency International Vanuatu. RTI was chosen as the key underlying theme for the event in Port Vila. The inclusion of RTI as an underlying theme for the day is a significant vote of confidence from Government, civil society groups and regional supporters of anti corruption and good governance.
<ul style="list-style-type: none"> Liaison with the Regional Rights Resources Team from the Secretariat of the Pacific Community (SPC) 	<ul style="list-style-type: none"> The RTI Unit initiated discussions with the officers of the Fiji based Regional Rights Resources Team (RRRT), which is part of the Secretariat of the Pacific Community (SPC). The RRRT specialise in providing technical support for programs, using a human rights based approach, and the development of this relationship will be important to assist the RTI Unit in developing training, guidelines and other implementation tools that reflect a human rights approach, including ensuring information access for women, people with a disability and young people.

Activities Planned for Next Year

Project Name/Activities	Description of Activities
Right to Information Committee	Provide secretariat support to Right to Information Committee
RTI Implementation Plan	Update 2012 plan, undertake stakeholder consultations and finalise for approval by Council of Ministers and publication
RTI Implementation Plan Monitoring and Evaluation	Develop indicators for reporting on RTI to align with the Vanuatu Government Sustainable Development Plan and with the United Nations Sustainable Development Goals, particularly Goal 16
Records Management	<ul style="list-style-type: none"> Establish National Committee Develop national standards Develop Records and Information Management guidelines Conduct training across public service
RTI Unit	Recruit to all remaining positions in the Unit (RTI Publications Officer and RTI Training Officer)
Proactive publication	<ul style="list-style-type: none"> Develop Proactive Publication guidelines Undertake training and encourage and support public entities to voluntarily publish their information in a timely manner
Right to Information Bill	<ul style="list-style-type: none"> Finalise for first available session 2016 Develop user guidelines
Agency Baseline Assessments	Assessment of records management systems and information access of public entities, focusing on 'First Phase' agencies
Agency Action Plans	Work with 'First Phase' agencies to develop RTI implementation Action Plans and monitoring and reporting arrangements
RTI website	Develop, publish and maintain RTI website
RTI sensitisation within the public service	<ul style="list-style-type: none"> Conduct RTI sensitization for public servants, focusing on first phase entities initially Ensure inclusion of RTI in VIPAM training for Inductions and Manager training
Office of the Information Commissioner	Assist the Office of the Prime Minister and the Judicial Services Commission to establish the Office of the Information Commissioner

Issues/Problems/ challenges for next year



- Right to Information Bill

The bill must be ready for introduction to Parliament in first available session of Parliament of 2016. The draft bill is currently with State Law Office who are incorporating changes requested by RTI Unit.

- Records and information management

There are poor record management systems in many public entities, and a lack of consistency across agencies in records and information management. Many public agencies do not recognise the value of their information as an asset to be recorded, preserved and disseminated.

- Sensitisation of public servants and raising their awareness of the RTI Policy and legislation

- Creation of web portal that can accommodate the complex process of information requests and access provided for in the RTI legislation and track requests to monitor compliance

- Establishment of the Office of Information Commissioner