

SPEECH

Remarks by USAID/Cambodia Mission Director Erin Soto, Seminar on “Public Access to Information” - Fighting Corruption Through Freedom of Information

Ministry of National Assembly, Senate Relation and Inspection

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Thank you for inviting me to speak this morning. It is my honor to be here today to mark your effort toward establishing important Freedom of Information legislation.

I would like to stress two main points this morning. One, the job before you, MoNASRI staff and leaders, in drafting the Freedom of Information Framework is a big responsibility and an extremely important step toward continued deepening of modern democratic norms. Two, Freedom of Information legislation is a critical tool in ensuring transparency and accountability of the public sector.

I understand there are currently 65 countries in the world with Freedom of Information laws and dozens of other countries, like you, who are developing FOI legislation. With your leadership and dedication, Cambodia will be the 66th country to have a good FOI law. USAID and the USG is honored to respond to the MoNASRI request for assistance to develop this law because we understand its importance.

The preamble to the Cambodia Constitutions begins...“ We the people of Cambodia” and goes on to state that we the people “having awakened and resolutely rallied and determined to unite for the consolidation of national unity/ the preservation and defense of Cambodia’s territory, and precious sovereignty, and the fine Angkor civilization, the restoration of Cambodia into an “Island of Peace”/ base on multi-party liberal democratic responsibility for the nation’s future destiny of moving toward perpetual progress, development, prosperity, and glory.

We the people – it doesn’t say “we the Government” or “we the NGOs” or “we the donor”. It says “we the people”. These three words mean the government institutions and laws reflects the will of the people or the public they belong to the people. It does not mean government by a select few for a select a few. Public servant and I serve the American people. I act to serve the interest of all Americans just like you act to serve the interest of all Cambodians. A good FOI act will serve the interest of all Cambodians. It is up to you, here today, to put forth the best, most appropriate FOI law – one that serves the interests of all Cambodians; the citizens of Cambodian –people in your communities, your government, your families; and especially your children – are depending on you to take the

next step forward in adopting modern democratic norms to fulfill those desires laid out in the preamble to your Constitution – democratic responsibility for the nation’s future destiny of moving toward perpetual progress, development, prosperity and glory. It is up to you to examine best practices and develop legislation that clearly delineates what information is public and ensures ease of access to that information. Drafting FOI legislation and promoting its passage is an honor bestowed on you by “the people” and I know you will approach it with pride.

Freedom of Information legislation is an important tool in ensuring transparency and accountability in the public sector. Research shows that governments with high levels of transparency govern better – more effectively and reflecting the needs of her people. FOI legislation will:

- Open government records to the public – because in modern democracies, government records belong to the people – it is the public’s information;
- With public information, civil society can more effectively play one of their roles in a democracy – monitoring government accountability;
- High degrees of public information transparency will increase the level of trust between the government and her citizens;
- FOI legislation will help to fulfill the desires laid out in the constitution because progress and development are linked to competitiveness and Cambodia’s ability to attract the kind of investment needed to create jobs that lead to a decline in poverty.

Part of what determines Cambodia’s competitiveness, is the cost of fees paid to the government. FOI legislation should allow the public revenues to be tracked from point of collection to the public budget and from the planned use of those revenues to the expenditure of public funds to ensure, for example:

- Fair and equal treatment of all;
- Business owners and regular citizens can ensure that unofficial fees aren’t being paid for preferential treatment in government transactions - whether in land purchases or when seeking health care;
- Citizens can ensure that the national budget is expended as planned and public resources reach the intended end user –so that school directors and hospital administrators, for example, receive the amount of funding planned in the national budget and aren’t compelled to sign that they received a sum larger than they did receive;
- And business owners can ensure that they don’t lose government contracts or cases in court because unofficial fees determine the outcome.

These are just a few examples of the FOI legislation. In simple terms, a good FOI law, will increase transparency and increased transparency will reduce the opportunity for unofficial fees and that will, in part, increase Cambodia's competitiveness.

Increased competitiveness will invite investors which should lead to an increase in job and ultimately a decrease in poverty in Cambodia.

So, as you can see, FOI legislation is a critical tool in ensuring transparency and accountability in the public sector that can have a ripple effect on poverty reduction. Again, the job before you is of extreme importance. I congratulate MoNASRI for taking the step of disseminating inspection results last year to the public. I encourage your leadership once again. FOI legislation is not only a critical tool in ensuring transparency and accountability of the public sector but also a tremendous contribution to improve Cambodia's competitiveness, jobs and reduction in poverty.

Thank you again for inviting me to speak. I wish you strength and wisdom in your endeavor.