

Free Access to Information in Iran, in line with the UN Sustainable Development Goals

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Abstract:

The 2030 Agenda for Sustainable Development focuses on the access to and publishing of information. The sixteenth goal explicitly emphasizes promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels. Target 16. 10 emphasizes ensuring public access to information and protecting fundamental freedoms in accordance with national legislation and international agreements.

The adoption of free access to information Act in Iran in 2009 ensures the achievement of the sixteenth goal of the 2030 Agenda for Sustainable Development. This law ensures the citizens' right to have access to information in five chapters and twenty-three articles, and there is an institution called the "Commission for publishing and free access to information" in Iran to build the infrastructure and the platforms for implementing this law.

This article attempts to describe the process of the national information policy development in Iran, which leads to the adoption of free access to information Act and explain the provisions of the law to describe the actions taken to implement it. In this regard, we will introduce the website for free access to information as an appropriate solution providing the Platform for the implementation of this law. We will also explain how such institutions and organizations work in this system and make the information accessibility to citizens.

The National Library and Archives of Iran acts as a government information service organization in this system, and we will describe its role in this national plan implementing the publishing and free access to information Act. This article discusses how the national information policy in Iran supports

the sixteenth goal of sustainable development, which will pave the way for changes in societies and promote the role of organizations such as the National Library of Iran in this challenge.

Key words: National Information policy; National library and Archives of Iran; free access to information Act

Introduction

The right to freedom of expression and access to information is considered to be of vital importance to democracy and requires recognizing the citizens' right to have access to information. The right to freedom of information is two-way; it ensures the freedom of both the information disseminator and the information recipient on the one hand, and the information recipient is free to both collect and seek information on the other.

According to Maxwell (2003) information policy is a social political, regulatory, economic and technological decision related to the role of information in society. Pajaro & Betancourt (2007) on the other hand offer a broader definition by asserting that information policy is a guideline for planned actions to ensure access to universal information to carry out social, economic and political activities in the course to achieve the national development goal (quoted in Basri, Yusof & Zin, 2012, 318).

In the case of open government, for instance, the huge volumes of information produced by governments are considered to be key resources for social and commercial activities. Providing citizens with access to government information not only ensures greater accountability and improved public engagement with governmental activities, it also contributes to a wide array of economic outcomes, allowing businesses to use the information to develop novel services. (Garrido & Wyber, 2017, 87).

Information policy ought to have a higher profile than ever before as it is central to the government's need to improve efficiency in how it operates, showing that it is worthy of trust through the transparency and open data initiatives and getting economic benefit out of the data it collects (Basri, Yusof & Zin, 2012, p.320)

The purpose of the National Information Policy is to use national systems to provide information services. In other words, it seeks to create such a structure (or use the existing structures in such a way) that it can circulate the information related to a particular area (or ministry) systematically (Hosseini, 2010, 143).

Identifying the right of access to information requires changing the approach to the role of government in society. Previously, governments analysed data exclusively for their own interests. It should, however, be noted that governments traditionally protected the information as they considered it to belong to them, but it has gradually become evident, thanks to the Freedom of Information Act (FOIA), that information belongs to citizens rather than governments. Indeed, governments have access to information on behalf of citizens and, in many cases, do not have the right to conceal this information. In other words, the identification and guarantee of the right of access to information has nowadays converted governments into information "intermediaries" (Boiteau, 2007, 809, quoted by Vizheh & Taheri, 2011, 239).

Role of libraries and information centres in realizing the goals of sustainable developments

Libraries and information centres are one of the most important pillars of developing and implementing national information policies in countries, as Garrido & Wyber (2017, 8) highlighted; within government, implementation efforts across policy fields will need to be coordinated. Libraries can be an incubator for partnerships between different stakeholders at a local level, drawing on their own deep understanding of their communities' needs in order to deliver meaningful access to information. In all areas, access to information can create a virtuous circle. An information-empowered society is better placed to create and share data which can further drive improvements. A well-supported library sector will play a major part in delivering success. Libraries are not only collectors but also stewards safeguarding the nation's heritage, to which they ensure equality of access for the citizens (Reding, 2005, quoted in Basri, Yusof & Zin, 2012).

In light of this, the library is identified as one of the key elements for open access to information without neglecting that the basic role of the library which concentrates on collecting and organizing information and offering access needs to be maintained.

A library and information service is not only fundamental but should also be the main player in information policy making. The significant role of libraries should be depicted in the designing of information policy of the country. It is typical in many governments that information policy is designed as there is a requirement to develop information society (Basri, Yusof & Zin, 2012).

The 2030 Agenda for Sustainable Development focuses on the freedom of expression and access to information. Among the seventeen goals of sustainable development, the sixteenth goal explicitly emphasizes promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels. Paragraph 10 of this goal emphasizes ensuring public access to information and protecting fundamental freedoms in accordance with national legislation and international agreements.

The IFLA Library Map of the World¹ provides a definition for each goal of sustainable development. It defines the 16th goal as follows: Full access to information requires that everyone have access to information and know how to use it effectively. Libraries have experts and resources to help governments, institutions and individuals to communicate, organize and use the information effectively. Undoubtedly, libraries and information centres are among the most important institutions that make and implement the national policies for access to information in societies.

Also, as Garrido & Wyber (2017, 8) pointed out, public institutions such as libraries have performed a critical intermediary function by curating information, extending informational resources to communities in need, and offering social spaces for convening, learning, creating, and problem-solving in their communities. As such, libraries can act as agents of change to advance the SDGs.

¹ <https://librarymap.ifla.org/stories/sdg/16>

The declaration at Lyon² at the IFLA WLIC 2014 also highlights access to information as a backbone for development by adopting various strategies³:

- Access to information supports development by empowering people, especially marginalized people and those living in poverty, to:
 - Exercise their civil, political, economic, social and cultural rights.
 - Be economically active, productive and innovative.
 - Learn and apply new skills.
 - Enrich cultural identity and expression.
 - Take part in decision-making and participate in an active and engaged civil society.
 - Create community-based solutions to development challenges.
 - Ensure accountability, transparency, good governance, participation and empowerment.
 - Measure progress on public and private commitments on sustainable development.

It is clear that libraries themselves benefit from free expression (including the freedom to publish), which supports a strong flow of new books, articles and ideas. Without this supply, libraries would not have much information to which to give access. Libraries also help make rights become a reality. On a basic level, the relationship between free expression and free access to information is clear in the Universal Declaration. By giving people the possibility to read and learn, libraries empower them to create. Libraries also support transparent and participatory governance. Many have realized their potential as places to help users take advantage of open government initiatives, to encourage political awareness and engagement (Wyber, 2019, 20).

The FOIA⁴ in Iran

Freedom of information or right of access to information in public institutions is a relatively new concept in the legal literature. However, this right is rooted in Article 19 of the Universal Declaration of Human Rights (UDHR), stating that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. "This right, before considered as a basis for democracy, is one of the fundamental rights of human beings and part of the fundamental right to freedom of expression " (Zandieh and Salarsarvi, 2013).

² Lyon Declaration on Access to Information and Development :
<https://www.lyondeclaration.org/>

³<https://www.lyondeclaration.org/>

⁴ Freedom of Information Act

It should, however, be acknowledged that the right to freedom of opinion was recognized in ancient Persia far earlier than the *Declaration of the Rights of Man and of the Citizen* of the French Revolutionaries in the 17th Century and the UDHR adopted by the UN in the 20th Century. Cyrus' Charter of Human Rights in 539 BC, issued after the conquest of Babylon, is undoubtedly one of the oldest and most important human rights documents in ancient history, explicitly emphasizing everyone's right to have freedom of opinion.



Figure1. Cyrus Cylinder

Access to government information is also one of the most important rights of citizens, which has close ties with freedom of information, freedom of expression, and transparency, and guarantees their participation in political life. It is also one of the foundations of democracy in societies. This right had also been considered in the Iranian legal system much earlier, although the adoption of the FOIA can be considered the first and most significant step in this regard.

The Constitution of the Islamic Republic of Iran has referred implicitly and explicitly to the concept of freedom of expression and accountability of government officials. The right of access to information can be inferred from the eighth principle of this law. Another legal document referring to the right of the press to have access to information is the Press Law of the Islamic Republic, passed by the Islamic Consultative Assembly in 2000. Article 5⁵ of this law considers the reception and dissemination of internal and external news intended to raise public awareness and protect the interests of society to be the legal right of the press. This article also refers to the freedom of information, although the legislator may not have meant access to information. A comprehensive law was indeed needed to fill in this great gap. Therefore, the “FOIA” bill was prepared (Vizheh & Taheri, 2011).

⁵ . The Press Law, passed in April 18, 2000 by the Islamic Consultative Assembly, Article 5:
<https://press.farhang.gov.ir/fa/rules/laws2>

Finally, the FOIA⁶ was passed by the Islamic Consultative Assembly in a plenary session on January 25, 2009 with 23 articles and seven notes. Article 2, Clause 2 of this law states that any Iranian has the right to have access to public information, unless prohibited by law, and the use and dissemination of public information will be subject to the relevant laws and regulations. Article 5, Clause 3 also obligates public institutions to non-discriminatorily make the information subject to this law accessible to the public as soon as possible. Article 10 also stipulates that each public institution shall, at least on an annual basis, disseminate general information including its performance and balance sheet using computer facilities and possibly in a handbook, excluding the cases of classified information, to give to citizens, upon request, with a charge.

Although the FOIA had weaknesses, its adoption in Iran is actually the most important step towards the fulfilment of freedom of information. This law recognizes citizens' right to have access to information and stipulates that people have the right to have access to information in institutions as soon as possible under this law, which includes limitations and exceptions (Haji, 2014, 169).

FOIA enforcement

In order to enforce the FOIA, the Board of Ministers adopted the Executive By-law of that code in 2014 at the suggestion of the Ministry of Culture and Islamic Guidance. This Executive By-law defined the terminology used for law enforcement, such as personal information, privacy, public and private institutions providing information, and concepts related to the dissemination of information. It also specified the law enforcement mechanisms including the Freedom of Information Commission (FOIC) and a secure and legal system for administrative procedures. It obligated the relevant institutions to include the titles of their public and non-classified information and access to them in their portals. The types of information that these institutions must include in their portals are:

- Description of duties and legal requirements,
- Rules and regulations governing their activities,
- Organizational structure and the duties of each position from the highest to the lowest organizational levels,
- The list of managers along with their phone numbers and organizational emails,
- List of all subordinate/superordinate institutions and information about how to have access to them,
- A page for complaints against the activities of the institution, subsidiary units or staff (creating an internal telephone, SMS or email system to receive complaints),
- Identity of all services offered by the institute together with the names of employees responsible for each service,
- The process of providing each service along with all related requirements.
- Scheduling the services and listing the employees responsible for them along with information about how to have access to them,
- Announcing the ways of providing the outsourced services through public service counters and their obligations,

⁶. The FOIA, passed by the Islamic Consultative Assembly on January 25, 2009
https://foia.iran.gov.ir/documents/20147/93245/ghanoon_enteshar_va_dastresi.pdf/f2f81d94-7405-1ce8-09b7-537519e87acc

- Creating a main page with FAQs and related responses,
- Creating a service follow-up page to provide information about the service process,
- Reporting the times when the service counter is out of access due to updating or technical problems,
- Information about the duties of public institutions subject to the law, which is required in accordance with the laws and regulations of the Islamic Republic of Iran.

Freedom of Information Commission

In accordance with Article 18 of the FOIA, the FOIC⁷ was established by the President's order with a combination of several ministers and heads of relevant organizations in order to protect the freedom of information and public access to information in public and private institutions providing public services, develop the required enforcement programs in the field of information, oversee the law enforcement process, eliminate conflicts over information provision through the creation of procedural unity, culture building, guidance and advisory opinions. The Secretariat of the FOIC is located at the Ministry of Culture and Islamic Guidance.

This commission adopts the required policies to enforce the law and oversee this enforcement through specialized meetings. So far, it has developed three instructions for law enforcement, including:

1. Instruction for Freedom of Information of Private Institutions Providing Public Services
2. Instruction for Freedom of Information of NGOs
3. Instruction for Freedom of Information of Public Firms

Each instruction contains different types of information and how institutions have access to them. The “Instruction for Freedom of Information of Private Institutions Providing Public Services” has obligated these institutions to disseminate their organizational information, such as the organization chart, their duties and authority, the profiles of their managers and faculty members, and the process of membership on their portals. It also specifies that the institution should provide information about its services and how it presents them to the public.

Freedom of Information Website

The FOIC set up a website in order to create an appropriate environment for the FOIA enforcement. According to Article 8 of the Executive By-law of the FOIA, any Iranian natural or legal person can submit their request for access to information through the electronic portal or by signing up in the foia.iran.gov.ir website and creating a user account, referring to e-government counters, post offices, or via in-person visit to the Information Unit of the relevant institution.

Users complete and submit an application form approved by the FOIC. The agencies must provide the information within 10 days, and if there is a delay, citizens can register their complaints in this website to be followed up by the FOIC.

⁷ . <https://foia.farhang.gov.ir/fa/home>

Website structure

The home page of the Freedom of Information Website includes the header, menus, slider, a brief explanation of the website, the text of the FOIA, selected parts of the Citizen's Rights Charter and the footer.



Figure 2 . General view of the Website before logging into user accounts



Figure 3. General view of the home page of the Freedom of Information Website

The home page, the list of organizations, disseminated documents, reports, user guides, website map and contact with us are pages accessible to citizens without having to log into their accounts.

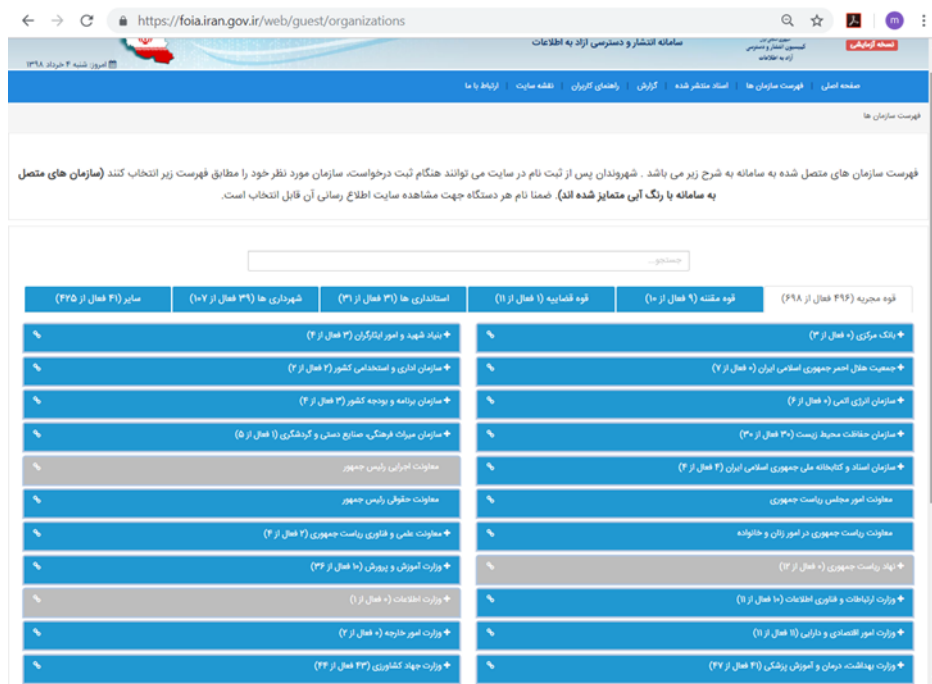


Figure 4. General view of the list of organizations

Organizations linked to the Website

This section contains information about organizations and a list of government agencies that citizens can select as responsible organizations. Activated agencies that are responsive are displayed in blue, whereas non-activated ones are displayed in gray. The total number of subsets and the number of active subsets of each organization are displayed in front of it.

There is also the possibility to search organizations in the upper part of the form, which shows the organization and its hierarchical structure. By selecting the link in front of each organization, the details of that organization, including its name, the superordinate organization or institution, the name of the website manager, website phone number, address, and so on will be displayed.

The National Library and Archives of Iran operates on the website in four areas of national documents; national library; management, resources and research development; and digital resources.

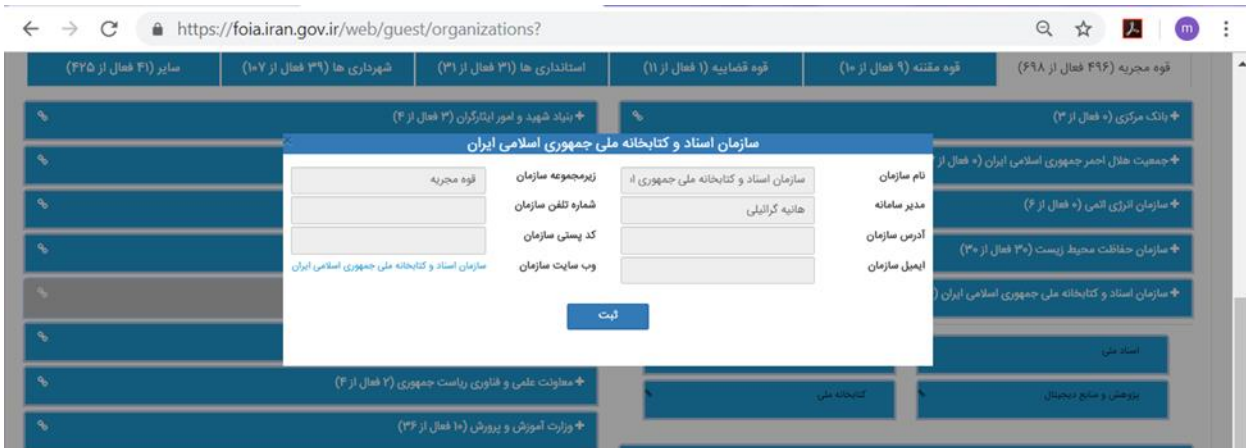


Figure 5. The page related to the National Library and Archives of Iran

Disseminated documents page

The documents disseminated by organizations can be searched and viewed in this section. The search section allows you to search by the file name, document code, and disseminating organization.

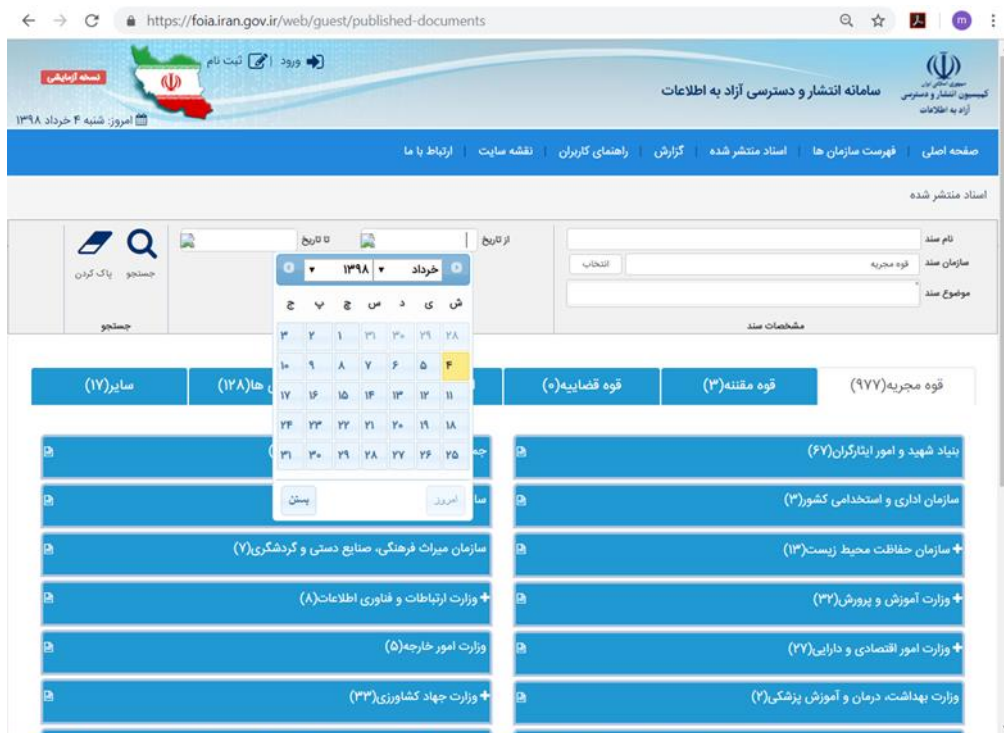


Figure 6. Disseminated documents page

Report

This section contains reports of organizations' requests. It displays the number of requests and responses of each organization in tabular form.

ردیف	نام سازمان	گروه سازمان	تاریخ اتصال به ما...	تعداد درخواست ها	تعداد پاسخ ها	تعداد شکایت ها	تعداد پاسخ به شکا...	درصد پاسخگویی
۱	وزارت کشور	سبا و رسانه های اجتماعی گراسپی	۱۳۹۷/۰۳/۰۹	۳۲۲	۳۲۲	۰	۳۱	۹۰
۲	کمیسیون انتشار و دسترسی آزاد به اطلاعات	کمیسیون انتشار و دسترسی آزاد به اطلاعات	۱۳۹۶/۰۶/۲۸	۲۶۰	۲۵۶	۱۱	۹	۹۸
۳	وزارت بهداشت، درمان و آموزش پزشکی	سامان زاغ تراک	۱۳۹۶/۰۳/۰۹	۲۲۹	۲۲۷	۷۲	۲	۹۵
۴	بانک مرکزی	کامیون زاغ تراک	۱۳۹۷/۰۸/۰۳	۲۲۹	۲۲۶	۳۰	۹	۹۰
۵	شهرداری تهران	علی صادقی	۱۳۹۷/۰۷/۱۸	۲۲۶	۲۲۶	۳۳	۱۸	۹۲
۶	وزارت فرهنگ و ارشاد اسلامی	جمشید اسیرانده	۱۳۹۶/۰۳/۰۹	۲۱۷	۲۱۲	۲۶	۱۳	۹۲
۷	وزارت امور خارجه	بهرام قاسمی	۱۳۹۶/۰۵/۲۴	۲۰۴	۲۰۳	۴	۲	۹۹
۸	وزارت کسب و کار، صنایع و معادن	روزبه کردوسی	۱۳۹۶/۰۳/۰۹	۱۹۷	۱۸۹	۱۲	۸	۹۴
۹	سازمان برنامه و بودجه کشور	مهدی قاضیان	۱۳۹۶/۰۳/۰۹	۱۹۰	۱۸۹	۲	۱	۹۷
۱۰	وزارت راه و شهرسازی	احسان بیگت مشهوری	۱۳۹۶/۰۷/۲۴	۱۸۸	۱۴۴	۲۷	۱۱	۹۸
۱۱	وزارت نیرو	صدیقه بریان	۱۳۹۶/۰۳/۰۹	۱۸۱	۱۷۵	۱۵	۹	۹۳
۱۲	استاندار، فرماندار، استاندار	فاطمه ناز...	۱۳۹۶/۰۶/۰۹	۱۷۰	۱۷۰	۳۱	۲۴	۹۵

Figure 7. Report of the number of organizations' requests

Figure 8. Sign-up Page (Personal Information)

User pages

Citizens sign up: Users can sign up at the Port using this section.



Figure 9. User request registration

User request

After logging into their accounts, users can register requests from the "Request Registration Menu".

The screenshot shows the 'پوشه درخواست' (Request Folder) page. It features a search bar, filters for 'فرستنده' (Sender) and 'موضوع' (Subject), and a table of requests. The table has columns for 'ردیف' (Row), 'کد سند' (Document Code), 'مشاهده شده' (Viewed), 'موضوع' (Subject), 'فرستنده' (Sender), 'تاریخ دریافت' (Received Date), and 'شرح اقدام' (Action Description).

ردیف	کد سند	مشاهده شده	موضوع	فرستنده	تاریخ دریافت	شرح اقدام
۱	۱۰۴۵۹	<input checked="" type="checkbox"/>	پاسخ به درخواست با شماره پیگیری ۱۵۰۵۹۷۴۳۷۷۸۴۸	کاربر وزارت ارتباطات و فناوری اطلاعات	۱۳۹۶/۰۷/۰۱	
۲	۵۱۱۱	<input checked="" type="checkbox"/>	پاسخ به درخواست با شماره پیگیری ۱۵۰۰۷۰۵۲۷۱۰۸۹	کاربر وزارت ارتباطات و فناوری اطلاعات	۱۳۹۶/۰۴/۳۱	
۳	۴۰۶۹	<input checked="" type="checkbox"/>	پاسخ به درخواست با شماره پیگیری ۱۴۹۹۲۱۷۸۶۴۳۵۰	کاربر وزارت ارتباطات و فناوری اطلاعات	۱۳۹۶/۰۴/۱۴	
۴	۳۵۲۵	<input checked="" type="checkbox"/>		کاربر وزارت ارتباطات و فناوری اطلاعات	۱۳۹۶/۰۳/۲۹	

Figure 10. General view of the request folder

The user completes the request information on this page and registers and sends his/her request by selecting the relevant organization. The request form includes the subject and title of the request, the relevant organization, and how the request will be responded to. After selecting the

registration and sending option, the tracking code and the request date will be displayed to the user. The request is forwarded to the selected organization's dashboard. The responsible person in that organization will observe the new request in his / her dashboard and responds to it in due time. After the relevant organization responds to it, the response will be visible in the request folder menu.

If the user is not satisfied with the response, he/she can file a complaint against the relevant organization to the FOIC. The user can also search for received responses to his/her request and complaint.

FOIA is a clear indication of the realization of the goals of sustainable development, in particular its 16th goal, paragraph 10, which guarantees the public's free access to information in Iran. But it also plays a role in facilitating free access to information in pursuit of other sustainable development goals in Iran. One of the most important goals of sustainable development is the 4th goal, 'Ensures inclusive and equitable quality education and promotes lifelong learning opportunities for all'.

Meaningful access to information is closely intertwined with education. Clearly the possibility to connect to the internet can open up exciting new possibilities to access materials and tools for learning. However crucially – the relationship also runs in the other direction, with a range of skills, from basic literacy to higher order critical information literacy necessary in order to make optimal use of access to information (Wyber, 2019, 7).

The Ministry of Education of Iran, as the main educational institution with activities in the FOIA website at different levels and fields, provides the community with the necessary official information before the university. At the higher education, the Ministry of Science, Research and Technology in the fields of university education, academic publishing, scientific and industrial research, and science and technology studies meet the needs of the community.

These are examples of the linkage of the country's activities to the achievement of the sixteenth goal and other sustainable development goals, especially the fourth one.

Access to environmental and health information is also one of the most important parts of the FOIA website for the free access to information that is relevant to the goals of sustainable development in each of these areas.

Conclusion

A year after launching the Freedom of Information Website, more than 500 government agencies have joined it and more than 1000 information documents have been disseminated on it. Among these organizations, the National Library and Archives of Iran and the Public Libraries of Iran are two important library and information centres operating in this website and responding to requests from users. The Freedom of Information Website implements the "freedom of information" policy at the national level, which indicates the importance of libraries and information centres in this national program and their significant effect on strengthening this website.

As IFLA emphasizes:" Libraries have experts and resources to help governments, institutions and individuals to communicate, organize and use the information effectively. "

The function of libraries in achieving the goal of the 10th clause of the 16th goal of sustainable development ensures public access to information and protection of fundamental freedoms. The National Library and Archives of Iran, as a national institution, plays an important role in achieving this goal by its presence in the Freedom of Information Website, in addition to its various information services, and leads to the accurate flow of information in society by providing the information required by users. Obviously, access to information will be followed by a change in society towards an information society.

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