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| 1 | Address the complete lifecycle of emergencies | 7 | Protect human rights |
| 2 | Define the triggering events | 8 | Integrate functioning health strategies |
| 3 | Balance strong and agile decision-making with meaningful oversight | 9 | Ensure flow of health data across all levels of governance |
| 4 | Fund adequately | 10 | Safeguard health care workers |
| 5 | Equip authorities with all relevant public health tools | 11 | Enforce the rules without imposing unjust penalties |
| 6 | Fulfill IHR obligations | 12 | Promote transparency |

12 Promote transparency

During a public health emergency, people need information on the nature of the threat, how to avoid risks, the availability of services, legal requirements, and other steps authorities are taking to protect the population. Lack of information or misinformation undermines the public's ability to identify reliable sources of accurate information. This leads to uncertainty and fear that may amplify sources of misinformation, creating panic and threatening public health. Emergency laws should include an obligation for government transparency, methods to address harmful misinformation, and protection for whistleblowers.

KEY ELEMENTS

Codifies transparency obligations in law: Emergency laws should include an obligation for government transparency throughout all phases of the emergency. The legal framework should require government to disseminate factual up-to-date information on the threat, how to reduce risk, the availability of services and official responses to the threat. Officials should have an affirmative obligation to correct harmful misinformation disseminated by government entities.

Widely and consistently disseminates factual information: The law should require emergency communications be consistently disseminated through various media and communication channels to reach the entire affected population, including those who live in remote locations. Communications should use clear, culturally appropriate language in local and national dialects, and prioritize audio and video dissemination for populations of all literacy levels.

Supports media literacy and a diverse media environment: Accurate reporting by reputable journalistic sources provides a powerful tool to disseminate factual information and reduce misinformation. Government should support media and digital literacy and provide factual information to journalists while supporting free, independent and diverse media sources.

Protects consumers from fraud: Consumer protection agencies should use enforcement mechanisms to identify fraudulent products and services sold in response to the public health emergency, seize dangerous and fraudulent products, remove false advertisements, and use administrative and criminal tools to cease and prosecute harmful activity.

Shields whistleblowers: Government should protect whistleblowers, including journalists, public health authorities, and civil society groups who bring to light information that threatens or harms the public interest, such as a violation of law, abuse of authority, fraud, or harm to the environment, public health, or public safety. In the case that government protections fail, the judicial system must have authority to protect whistleblowers.

ASSESSMENT QUESTIONS

Does your legal framework:

- Include transparency requirements for the government that covers all phases of the emergency?
- Include requirements for consistent and continuous dissemination of factual information about the emergency, how to avoid risks, the availability of services, and government responses to the emergency?
- Include requirements to disseminate factual information broadly, using culturally appropriate language in local dialects, including audio communication?
- Provide for immediate correction of previously disseminated misinformation by government officials?
- Include protection for journalists reporting on the emergency and government responses to the emergency?
- Task consumer protection agencies with swiftly addressing fraudulent products and services sold in response to the public health emergency?
- Include protections for whistleblowers that includes judicial oversight?

ADDITIONAL RESOURCES

- Article 19, [Viral Lies: Misinformation and the Coronavirus](#), March 2020.
- United Nations General Assembly. [Promotion and Protection of the Right to Freedom of Opinion and Expression](#), Note by the Secretary-General, Sept 2015.
- Reducing Corruption Risks with Data, [Public Procurement Transparency & Integrity. Ensuring Transparency in Emergency Procurement Recommendations](#), 2020.
- Open Government Partnership, [A Guide to Open Government and the Coronavirus: Open Response + Open Recovery](#), August 2020.