

**AFRICAN REGIONAL CONFERENCE ON  
THE RIGHT OF ACCESS TO INFORMATION  
February 7-9, 2010  
Accra, Ghana**

Summon stakeholders through a forum to create a concerted effort to evaluate the legislative framework related to access to information;  
Work as a group to consider the government-initiated law, specifically the impediments to implementation such as lack of capacity, and records keeping and technology challenges.  
Raise awareness on the value of access to information

## **GHANA**

The delegation agreed that the draft conference document resonates well in the Ghanaian context. They agreed upon the following:

Government should:

- Adopt a cross-sectoral, pro-active disclosure approach and integrate areas like public health into this process.
- Support the legislation toward its passage.
- Make available opposition papers on the bill.
- Once the law is passed, establish independent sources of funding for implementation.

Civil society will:

- Disseminate the Accra Declaration widely;
- Strengthen public awareness;
- Expand the support base to include churches and community groups, and
- Engage the media.

ICJ-Kenya, which sits on the African Union Assembly, will initiate discussions that bring together parties and link FOI to financial reform.

## **LIBERIA**

As Liberia emerges from 40 years of conflict, it has pursued the sectoral approach and passed the LEITI bill. There are additional steps toward transparency being taken in the logging sector, by the General Auditing Committee, and people are being prosecuted for corruption. President Sirleaf has demonstrated political will by signing an order to protect whistleblowers. Civil society also has presented an FOI bill. Hon. Hodges' chamber in the House of Representatives was about to pass the bill, but decided to wait for suggestions from other organizations such as the Carter Center. The group determined that stakeholders in Liberia will:

Ensure passage of the draft FOI bill. There is sufficient political will in the House, and Liberia will be the first country in West Africa to pass a bill.  
Disseminate information about the FOI project not as a media bill but as a bill that promotes economic development and that is important for all persons.

## **MALI**

Unlike the comments that other French speaking delegates have made regarding Francophone Africa lagging behind, Mali has taken a number of initiatives and has made good progress in advancing access to information. There has been a law that related to access to information since 1998 and the voluntary disclosure strategy (SAISA) has been operational since 2006. The delegation decided upon the following:

Government will generalize the strategy and support its expansion beyond the pilot agencies.  
An external evaluation to see how users experience the FOI system must be undertaken.  
The group will lead efforts to raise awareness around the Atlanta Declaration and the African Regional Findings and Plan of Action.  
Journalists will publish the documents on different websites and make them public through the press.

Bring the law into debate upon returning to Mozambique. The new parliament was just sworn in, and the process can be examined again to consider what has changed since 2005.

Convene a range of stakeholders to review the law.

There is a need to produce greater research on the legal standards and barriers to access to information.

Civic education should be provided for public servants so that they learn to seek and proactively disclose information to the public.

Booklets should be produced to supply basic skills about how to deal with information and topics such as what constitutes state secrets.

Campaigns will be organized to educate communities about issues important to them.

## **NIGERIA**

The group generally agreed with the content of the conference document. They agreed on five main action points:

Complete an audit to assess federal and state legislation mandating information disclosure in different sectors to improve understanding of the existing state of affairs.

Test the responsiveness of government bodies under existing law, although early cases show the response capacity of public institutions to be very weak.

Tracking procedures and information sharing within institutions must be improved, as public officials' ability to keep records of meaningful information is very low.

Increase awareness to stimulate demand for information covered by those laws.

Define clearly national security in relation to restrictions and encourage the use of international standards to delimit what can be withheld.

Recommend addressing and engaging the critical issue of access to information in the on-going development of a holistic National Strategy to combat corruption.

## **SENEGAL**

The group agreed that an access to information law is essential because it is relevant to Senegal's economic and political problems. There are numerous initiatives promoting freedom of information from government, civil society and academia. At the government level there is a reform policy on communications and the press law, and civil society is drafting a bill on access to information. In Senegal, this issue is taken very seriously, especially as the Francophone world is lagging behind. The group's action points included:

Clarify the distinction between freedom of the press and access to information within draft bills.

Contextualize drafts to be consistent with existing laws related to information disclosure and the constitution.

Continue working with the Ministries of Justice and Communication to speed up the law's adoption.

Draw together all the issues and actors relevant to access to information for further discussions, especially within universities.

Organize a team to work in French-speaking countries to contribute to regional efforts to document the work being done across the continent (such as is being done by the African Framework of Constitutional Law).

## **SIERRA LEONE**

The group agreed that the conference action plan is very relevant to Sierra Leone's local context and provides a path for an FOI law and general access to information. The multi-

## **TANZANIA**

In Tanzania, advocates are working on freedom of information and media access laws, although a previous draft FOI bill was not passed. The group suggested the following action points:

Work toward a new, more progressive bill that is in line with article 18 of the constitution, Tanzania Policy, Commonwealth Principles and the Atlanta Declaration. This initiative to be led by the government and Media Council of Tanzania.

Ask President Carter to contact the President of Tanzania to urge him to reflect these standards in the upcoming Bill.

Non-state actors will support the government to enhance the public website, particularly

make submissions before a parliamentary special committee. Action items for the group included:

Government will raise awareness of the bill at different levels and make the document available to citizens.

In the absence of an access to information law, the Government of Zambia will try to increase the categories of information to be made public for citizens, including budgets and expenditures.

Government will encourage the bill to be considered by Cabinet and moved to Parliament in a timely manner.

Civil society will :

Advocate for existing secrecy laws to be harmonized to limit exemptions in the draft bill.

Urge the national constitutional conference and the human rights committee to include the right to information in the new constitution.

Engage citizens directly through meetings and community gatherings so that the right is well understood as a developmental right and a leveraging right, recognizing that an absence of demand does not indicate an absence of need.

## **ZIMBABWE**

The delegate from Zimbabwe joined the meeting with the Zambians. They agreed on the importance of the following items:

CSOs and other players should sharpen and strengthen their strategies in advocating for the Repeal of AIPA, POSA and other laws that impede access to information

CSOs engage in the ongoing Constitutional reforms to promote inclusion of access to information provisions and for it to be recognized as a fundamental right  
Need for actors in Zimbabwe to build a strong cross-sectoral National Coalition on Access to Information which caters for all sectors (health, environment and natural resources, media, religion, etc)

Need to promote community awareness on international and regional best practices on access to information issues.