

The Honorable Dr Navinchandra Ramgoolam
Prime Minister's Office
New Treasury Building
Port-Louis
Mauritius

August 23, 2005

Dear Sir,

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-government organisation mandated to ensure the practical realisation of human rights in the lives of the people in the Commonwealth. CHRI's Right to Information programme assists Commonwealth member states to develop strong right to information (RTI) laws and to implement them effectively.

I recently saw a copy of the Throne Speech concerning the government's 2005-10 programme which stated that the government is committed to introducing RTI legislation in Mauritius. I have copied the relevant paragraph below:

"Para 261: "My government will provide citizens with a right of access to personal information held by state agencies and to information relating to government business by enacting a Freedom of Information Act."

I commend the government on its commitment to implementing legislation that will give Mauritians an opportunity to engage more effectively with the government and will promote more participatory, accountable governance.

I would like to take this opportunity to enquire about the specifics of your government's policy to introduce RTI legislation. In particular, has the government set out a timetable for the adoption of the proposed legislation? Based on our international experience, I would encourage you to develop a participatory legislative drafting process, because the best RTI laws are those which are responsive to the public's local access needs.

I would also like to offer your government the expertise and services of CHRI's RTI team in support of the process of designing an information access regime in Mauritius that is citizen friendly. We have been working on RTI issues in the Commonwealth for more than eight years and have accumulated considerable best practice expertise in terms of legal drafting and implementation. This was collected in our 2003 publication, "Open Sesame: looking for the Right to Information in the Commonwealth", a copy of which is enclosed for your information. Most recently, our RTI team has been heavily involved in drafting India's new national Right to Information Act and is now working to support the government's implementation of the law.

Once again, I would like to congratulate you on taking the first step towards promoting open government in Mauritius by committing to enacting an RTI law. I look forward to hearing from you about the present status of this initiative. Please do not hesitate to contact me by email at majadhun@vsnl.com or email the RTI team at jeet@humanrightsinitiative, or telephone on +91 11 2685 0523 or +91 9810 199 754.

Yours sincerely

Maja Daruwala
Director

Cc Hon Mr Rama Valayden, Attorney General
Mr D B Seetulsingh, Chairman, National Human Rights Commission
Dr. Daniel Fok kan, Chairman, Law Reform Commission
Mr Harry Ganoo, Secretary to the Cabinet and Head of the Civil Service