

BILL ON FREEDOM OF INFORMATION READY

Maputo, 23 Nov (AIM) - The Mozambican chapter of the regional press freedom body MISA (Media Institute of Southern Africa) now has a draft bill on freedom of information, ready to be considered by the country's parliament, the Assembly of the Republic.

MISA has spent three years drafting and redrafting this document which, according to Salomao Moyana, chairperson of the MISA-Mozambique Governing Council, will establish the necessary procedures so that the right of the public to information, enshrined in the Mozambican constitution, becomes a reality.

Speaking at a Maputo press conference on Wednesday, Moyana said the bill will ensure access to the data held by the public administration, or by private bodies that provide public services.

In the past, journalists have been arbitrarily denied access to data, with claims by officials that the information is "secret" or "confidential".

But if the MISA bill is passed into law, "the information ceases to be secret or confidential", said Moyana. "And if anything really is secret, then that decision must be taken on a legal basis. Citizens must not be denied the information they need in order to understand reality, and to demand greater transparency in government acts".

Moyana said the document will be delivered next week to the Legal Affairs Commission of the Assembly, and to the parliamentary groups of the ruling Frelimo Party, and of the opposition Renamo-Electoral Union coalition.

The hurdle that MISA now faces is to lobby a sufficient number of deputies to ensure that they sponsor the bill and that it will therefore feature on the parliamentary agenda. If all goes well, the bill could be passed into law at the first sitting of the Assembly in 2006.

The bill lists a large number of items which all bodies of the public administration must make public - including their internal norms, regulation and instructions, their budgets and reports on budget implementation, all licenses or permits that they issue, the details of all contracts they sign, and the results of any audits.

If the bill becomes law, citizens will be able to consult all official documents free of charge, and take copies of them. Requests for such access may only be refused if the matter concerned affects national security, if it seriously damages the fight against crime or the administration of justice, if it reveals government policy prematurely, thereby compromising its success, if publication would seriously damage the legitimate commercial interests of third parties, or if it would violate the private life of others.

The bill contains public interest clauses that could override claims of national security or commercial secrecy – for example where public health, violation of human rights or environmental risks are involved.

Requests for information must receive a response within ten days at the most. Any refusal to grant access must be explained, and may be appealed against to higher bodies, and eventually to the Administrative Tribunal.