

TANZANIA: NEW LAW ON ACCESS TO INFORMATION UNDERWAY

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The government of Tanzania is planning to enact an omnibus media law that would guarantee access to information held by public institutions, said President Jakaya M. Kikwete on 2 October 2006. The president was responding to questions posed by editors from various media houses who attended a press conference in the State House at Dar es Salaam. He was asked to state the government's position towards enactment of legislation that would guarantee access by journalists and other members of the public to information held by public bodies. "Giving out information does not necessarily need a law. It is a matter of personal commitment by those holding the information being requested", said Kikwete. He added that the government is undertaking consultations with stakeholders on the proposed legislation. He said the Bill is planned to be tabled for discussion before the National Assembly in the April 2007 session. Kikwete urged journalists to be patient with some public officials who fear assisting the media. He challenged the media to stop misrepresenting facts obtained from public officials, as doing so might ameliorate their relationship with these officials.

BACKGROUND:

Since 2001, MISA-Tanzania and other media stakeholders have been campaigning - under the Media Law Reform Project - for a freedom of information law in the country. The project conducted various research and consultation activities on the situation of media in the country. It came up with a report and made recommendations to the government, which were considered by government in the passing of the 2003 Media Policy law and with the 14th Amendment to the Constitution of the United Republic of Tanzania, 1977 (as amended in 2005). The amendment repealed article 1, which subjected the right to information and freedom of expression to other laws of the land, and replaced it with a new article 18, which guarantees freedom of expression and the right to information without limitations. The need for an omnibus law governing media was first discussed by Parliament in June 2006, when some Members of Parliament argued that there was a need to protect journalists when they are performing their professional duties, including collecting and disseminating information to the public. However, other MPs wanted the government to enact a law with stiff sanctions against journalists and media owners who unreasonably misuse their power by attacking public figures.

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