



REPORT OF

THE ROUNDTABLE ON THE ACCESS TO INFORMATION ACT 2005:

*Fostering 'Open Government' Through
Access to Information.*

18th—19th September 2006
Sheraton Kampala Hotel



Directorate of Information,
Ministry of Information & National
Guidance



Foundation for Human Rights
Initiative (FHRI)

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Executive Director, Foundation for Human Rights Initiative, FHRI

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Manager, Rights Monitoring & Advocacy Project, Foundation for Human Rights Initiative, FHRI

Mr. Faustine Misanvu

Ag. Commissioner Monitoring & Inspection, Directorate of Information, Ministry of Information & National Guidance

Hon. Dr. James Nsaba Buturo

Minister of State, Ethics & Integrity, Office of the President

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- *Kampala Declaration on the Implementation of the Access to Information Act 2005*
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ACKNOWLEDGEMENTS

FHRI would like to thank DANIDA, for the support towards the initiative of a Roundtable on the Access to Information Act 2005.

FHRI would also like to thank for The Commonwealth Human Rights Initiative (CHRI) for their technical support towards the Roundtable.

FHRI expresses gratitude to the Directorate of Information in the Ministry of Information and National Guidance for their collaboration in convening this Roundtable.

FHRI would also like to thanks the participants for taking time off to attend and actively participate in the proceedings of the Conference.



Participants at the Roundtable, Sheraton Kampala Hotel

INTRODUCTION

The Foundation for Human Rights Initiative (FHRI) in partnership with the Directorate of Information in the Ministry of Information and National Guidance successfully convened a Roundtable on the Access to Information Act 2005, under the theme; “Fostering ‘Open Government’ Through Access to Information”, from the 18th – 19th September 2006, at the Sheraton Kampala Hotel.

The Roundtable was convened to sensitize key stakeholders on The Act as well as to explore mechanisms for the operationalisation of the Access to Information Act 2005. It examined the subject of effective implementation as fundamental to the success of any access regime.

The Roundtable greatly benefited from the experience of several local media experts as well as the Commonwealth Human Rights Initiative based in New Delhi, India who advocated and monitored the implementation of the Access to Information Act in India.

The meeting attracted ninety (90) participants including Members of Parliament, Public Relations and Information Officers from different Government departments, representatives of Civil Society Organizations, students from Makerere University and the media.

Hon. Adolf Mwesige, Minister of General Duties in the office of the Prime Minister represented the Rt. Hon. Kirunda Kivejinja, 3rd Deputy Prime Minister and Minister of Information and National Guidance as the Guest of Honour at the opening session. Hon. Dr. James Nsaba Buturo, Minister of State, Ethics and Integrity, Office of the President, officiated at the closing ceremony.

To facilitate discussions and share experiences on the implementation of the Access to Information Act 2005, FHRI and the Directorate of Information, Ministry of Information and National Guidance invited distinguished Resource persons in the public service, academia and media fraternity at the Roundtable.

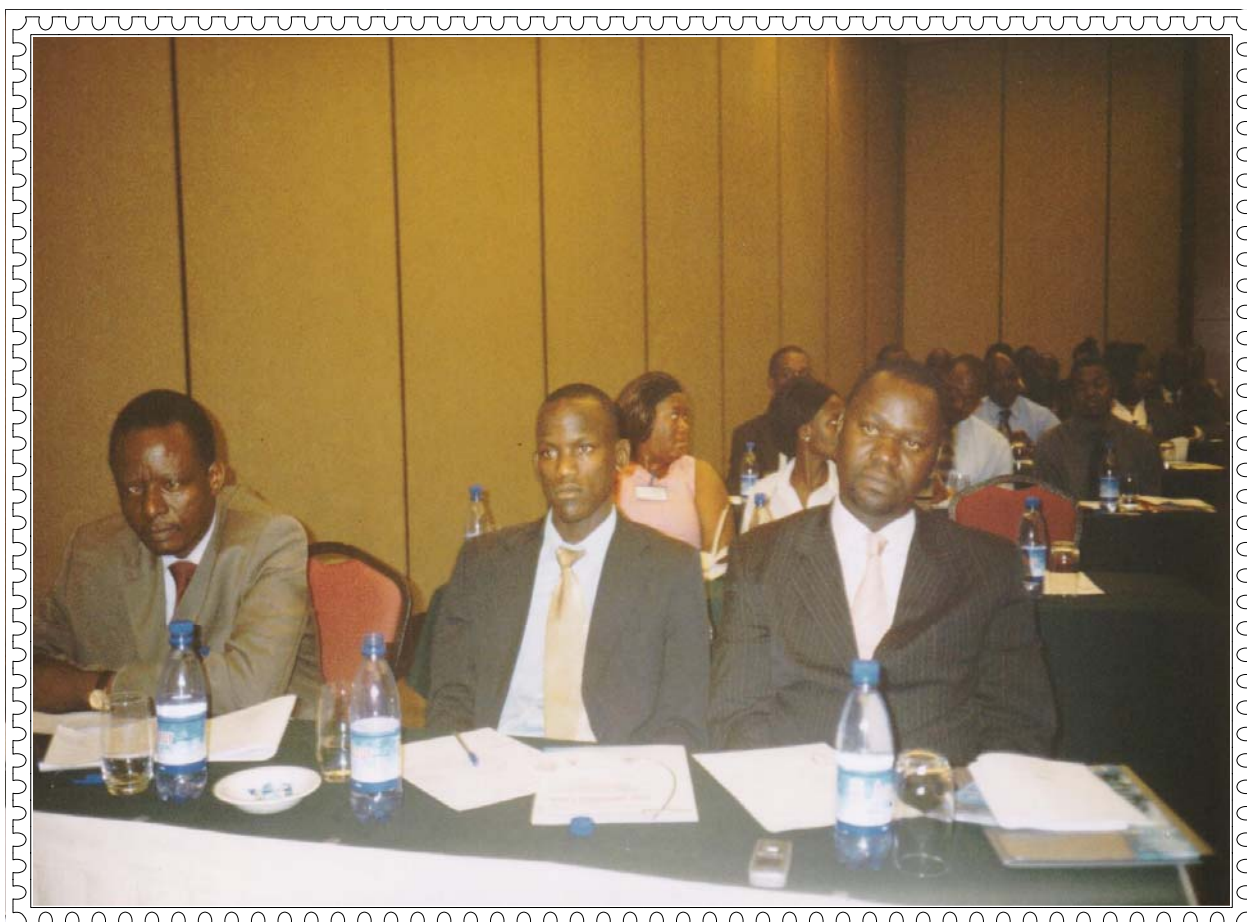
In attendance were;

- Dr. Henry Onoria, Senior Lecturer of Law, Faculty of Law, Makerere University on *The Value of the Right to Information in Uganda: Underpinning Practical Experiences from the Commonwealth Countries*;
- Mr. Haruna Kanaabi, Coordinator, East African Media Institute, *discussant of the above presentation*;
- Mr. Kalundi Robert Sserumaga, Senior Media Commentator, *discussant of a presentation on “Balancing the Scales: The Rights to Information and National Security”*;
- Prof. Fredrick Jjuuko, Professor of Media Law, Faculty of Law, Makerere University, *discussant of a presentation on The Access to Information Act 2005: ‘A Catalogue of Exceptions’*;
- Mr. Venkatesh Nayak, Coordinator, Right to Information Program, Commonwealth Human Rights Initiative, New Delhi, India on *Entrenching Openness: Implementing the Right to Information in Practice*;

- Mr. Faustine Misanvu, Ag. Commissioner, Monitoring & Inspection, Directorate of Information, Ministry of Information and National Guidance on *Developing Mechanisms to Operationalize the Legislation: What steps have been initiated?*;
- Mr. John Mitala, Head of Public Service / Secretary to the Cabinet on *Facilitation of Implementation of the Legislation: Developing a Culture of Transparency and Accountability*;
- Mr. Ibrahim Semujju Nganda, Political Editor, The Weekly Observer, *discussant of the above presentation*;
- Justice Faith Mwendha, Inspector General of Government on *Protection of Whistle Blowers: The Role of Government*.

At the end of the Roundtable, a Kampala Declaration on the implementation of the Access to Information Act 2005 was unanimously adopted.

This report summarizes the key discussions over the two days and captures suggestion, ideas and queries of participants with a view of ensuring the successful implementation of the Access to Information law in Uganda.



(Left) Mr. John Ken Lukyamuzi & Mr. Abdul Katuntu (Right)

OPENING REMARKS



*Livingstone Sewanyana,
Executive Director,
Foundation for Human Rights Initiative (FHRI)*

Mr. Livingstone Sewanyana welcomed the distinguished participants and Resource persons to the Roundtable.

He reaffirmed FHRI's interest in upholding the right to freedom of expression including the media in Uganda and welcomed the Access to Information Act 2005 as an important step in expanding media freedom.

He noted that information is power and in the spirit of democracy and equality, it should be shared freely with the people. Information is also a strong weapon in fighting poverty and enhancing good governance. An effective access to information regime empowers the poor to demand information regarding pro-poor policies and ensure that their basic needs are met. It would easily ensure that public officials don't easily engage in corrupt practices that deny the population the enjoyment of an acceptable standard of living and social infrastructure that meets their needs. An effective right to information regime would change the culture of secrecy, promote transparency and public accountability in the execution of government business, minimize data manipulation, increase investor confidence and empower people to engage more meaningfully in the democratic process.

He mentioned the fact that, whereas the enactment of the Access to Information Act 2005 was an important step, without implementation it remains an idle horse. There is need for joint partnership between the holders of information (Public Officials), civil society organizations and the media to ensure that the law is implemented. FHRI was therefore of the view that the Roundtable was an opportunity for all stakeholders to examine the law with a shared goal of identifying bottlenecks to its full implementation and making proposals for fast-track remedies. Mr. Sewanyana pointed out the impediments as;

- The existing legal framework that regulates journalists-multiplicity of legislations (Penal provisions of sedition, the Press and Electronic Media Act, etc)
- The multiplicity of agencies that regulate the media (Broadcasting Council, media Council etc)
- Executive policy pronouncements, for example, the media ban issued late last November 2005.

With appropriate surgery and an enabling political environment, FHRI was optimistic that the Roundtable would push further the space available for the full enjoyment of the exercise of the rights to freedom of expression in Uganda.

He, on behalf of FHRI thanked DANIDA, the Swedish International Development Agency (SIDA) and HIVOS for the support towards the initiative of a Roundtable on the Access to Information Act 2005.

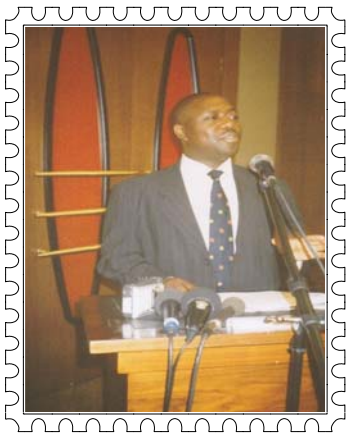
KEY NOTE ADDRESS

By

3RD DEPUTY PRIME MINISTER / MINISTER OF INFORMATION AND NATIONAL GUID-
ANCE

Rt. Hon. Kirunda Kivejinja

Presented by:



Hon. Adolf Mwesigye

Minister of General Duties in the Office of the Prime Minister

The Rt. Kirunda Kivejinja begun by giving a background of the Access to Information Act 2005.

It was enacted as a fulfillment of Government's commitment to building a State based on:

- Freedom
- The rule of law
- Transparency and accountability

These items are the pillars of Democratic Governance.

The International backdrop / setting

Article 41 of the Constitution where the law is derived states that "Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State **except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to privacy of any other person**".

The article further obligates the Parliament as the law-making body to make laws prescribing the classes of information referred to and the procedure for obtaining access to that information.

The enactment of "The Access to Information Act" in 2005 and its subsequent assent by H.E. the President in 2005 and commencement on 20th April 2006 is concrete proof of the NRM Government's political commitment to democracy, good governance and eradication of corruption and the attainment of national development goals.

It is not an idle boast that the NRM Government has created an enabling environment for observance of human rights, good governance and democracy in Uganda compared to the

undemocratic history of Uganda since independence. The Access to Information Act is a notable milestone and a regional achievement.

Government has got some bitter experiences of being too good or letting a good thing go bad. In the mid 90s, government liberalized the media. Private Televisions, radio stations and print media were licensed thus breaking the monopoly of government owned Uganda Television, Radio Uganda and The New Vision newspaper. There were no guidelines, no standards and no limits to the operations of private broadcasters.

Consequently, the private broadcasters reduced the industry to a near wasteland. There was no balanced programming, popular music dominated the airwaves punctuated by comedy, uncontrolled phone-in talk shows some of which went beyond decency. Worse, some stations and publications de-campaigned national programs like immunization of children against polio, the introduction of Value Added Tax (VAT). Others started programmes during which there were attacks on social-religious ethnic groups while others started featuring material that can be described as pornography.

Following the public resentment, government has come up with policies to control media excesses like pornography and the broadcasting policy. These are reactive measures comparable to the proverbial situation of closing the kraal after the cows have escaped.

The Government would like to avoid similar situations with regard to Access to Information. Much as he appreciated the enthusiasm of FHRI, civil society and the general public as evidenced by this Roundtable, he pointed out that:-

- Right to Access Information will benefit Uganda if we recognize the responsibility that comes with access to information.
- In particular, I want the deliberations of this workshop to be informed by part III – Article 24-34 which specifically caters for information that is protected.

Finally, he urged the participants to share experiences so that Uganda can quickly implement the Access to Information Act without re-inventing the wheel.

The Value of the Right to Information in Uganda: Underpinning Practical Experiences from the Commonwealth Countries

Dr. Henry Onoria
Senior Lecturer of Law, Faculty of Law
Makerere University, Kampala

Although the earliest formulation of the right to freedom of information can be traced to Sweden's enactment of legislation to that effect in 1776, it would not be until the post-war period (after 1945) that the right would gain prominence in terms of its conceptualization in international law and in national legislative enactments. In international human rights law, in 1946 (two years before the Universal Declaration of Human Rights), the United Nations General assembly had proclaimed: 'Freedom of information is a fundamental human right and the touchstones for all freedoms to which the United Nations is consecrated'. The right has since found an imprint – although in most instances as a species of the *freedom of expression* – in several international and regional human rights instruments (conventions and declarations) and reports.

The right has since been affirmed in national legal orders of States in form of specific guarantees under Bills of Rights in national constitutions and further, in particular States, by the enactment of specific access to information legislation. Recognition of the right of access to information has especially attained prominence in the Commonwealth in the past two decades or so. As of mid-2006, in addition to Uganda, at least twelve (12) Commonwealth countries had enacted specific access to information legislation, i.e. Australia (Freedom of Information Act 1982); Belize (Freedom of Information Act 1994); Canada (Access to Information Act 1983); India (Freedom of Information Act 2002); Jamaica (Freedom of Information Ordinance 2002); South Africa (Promotion of Access to Information Act 2002); Trinidad and Tobago (Freedom of Information Act 1999); Uganda (Access to Information Act 2005); United Kingdom (Freedom of Information Act 2000); and Zimbabwe (Access to Information and Protection of Privacy Act 2000). Crucially, the enactment of access to information legislation has been seen as central to development of *participatory democracy*, ensuring *governmental accountability* and strengthening the fight against *corruption*.

Right of Access to Information in Uganda prior to the Access to Information Act 2005

Given the absence, from 1995 – 2005, of access to information legislation to give effect to the provisions of article 41 of the 1995 Uganda Constitution, it was left to courts to strip departmental and institutional heads of the discretion to disclose or withhold information. The decisions rendered have been central to efforts to elucidate the content and extent of the right as well as the duty-holders and beneficiaries.

Significantly, from decisions of the courts, what is evident – apart from depriving public officials of the discretion they hitherto possessed under the two pieces of legislation – is that the absence of a specific legislation to give effect to the right under article 41 of the 1995 Constitution meant that:-

- Access to information has been left to *procedures* that varied existing laws have had in place;
- *Information* that is available to and therefore accessible by the citizens has been difficult to ascertain;
- *Enforcement* by individuals of the right of access to information has largely been undertaken through filing of Constitutional petitions;
- *Exceptions* to the right of access to information have been asserted at the whim of the State to the extent that, as the Constitutional Court noted, the exceptions cover “a wide spectrum than article 41”, with the effect that “[t]he State would withhold information not restricted under article 41.

On a positive note is the fact that the courts were steadfast in enforcing the right of access to information under the constitutional guarantees in spite of absence of (and a failure to enact) a specific access to information legislation during the ten or so years. To that end, certain elemental aspects of the right are discernable from the jurisprudence of the courts since 1995:

- The right to information as including a “right to use such information in a court of law in support of a citizen’s case”;
- The right to information as arising as long as such information is in the *possession* of the State, its organs or agencies in “whatever capacity”;
- The *burden of proof* lies with the State to show that the information that is being sought is restricted.

Value of the Access to Information Act 2005 in Uganda and experiences from the Commonwealth

Article 41(2) of the 1995 Constitution envisaged the enactment of legislation to prescribe “classes” of information and the “procedures” for obtaining access to information. While the United Kingdom enacted its Freedom of Information Act in 2003 after almost 20 years of moot-ing of the idea for the legislation or for that matter Jamaica enacted its own in 2002 after 7 years of drafts of the law, this should not have served as precedent not to have in place a bill for an access to information legislation in Uganda after so long. The urgency of the need for the enactment of an access to information law stems from the need to provide detail as to the specific *content* and *extent of the right* as well as to provide for the simplified procedures for the access. As is manifested from the efforts and approaches taken by Ugandans to access information mainly through the courts, it is evident that, without a specific access to information legisla-tion, the general public will continue to face significant bottlenecks in accessing information.

For effective participation of Ugandans in the governance and development of their country, they should be enabled to have easy and timely access to critical information. In effect, a *people-friendly* access regime guaranteed under a specific law would give practical reality and founda-tion to participation and, as a result, to good governance, transparency, accountability and de-velopment. In effect, the participation of Ugandans in public affairs needs to be “more in-formed” to be “effective”.

Enactment of the Access to Information vis-à-vis Practical Aspects of Access to Information

In practical terms beyond the above broad facets of access to information, a specific access to information legislation such as the 2005 Access to Information Act has very practical implications to the *right* itself beyond attributes of good / open government:

- First, the Access to Information act should do away with and deprive public officials of the discretion they have hitherto possessed to disclose or withhold release of information sought by the citizens.
- Secondly, the Access to Information Act clarifies the scope of “information” – whether recorded radio messages or visual and transcribed records of the proceedings of the Parliament.
- Thirdly, the Access to Information Act further spells out specific standards as to the ‘minimum’ information requirements by key information providers, including the State (and its organs and agencies).
- Fourthly, the Access to Information Act defines the “duty-bearer” as far as the obligation to provide or disclose information being sought as well as sets out the necessity for information officers (IOs).
- Fifthly, the Access to Information Act helps in terms of the beneficiaries of the right under article 41 of the Constitution. The courts have pronounced them to be ‘citizens’ – natural and corporate.
- Finally, the Access to Information Act does away with the cumbersome, lengthy and expensive pre-2005 approaches of *enforcement* of the right through filing of constitutional petitions (or miscellaneous applications) before the courts.

The Access to Information Act 2005 is not expected overnight to change attitudes of public officials as regards the need to disclose public information. It therefore becomes imperative that legislation be facilitated and implemented through monitoring, public awareness and the creation and maintenance of information management systems. Overall though, and most crucial, will be not just the willingness of the government to commit funds towards the facilitation process, but its demonstration of the ‘political will’ to utilize an access to information legislation as a tool for ‘open government’.

Discussant

Mr. Haruna Kanaabi
Coordinator, East African Media Institute

Mr. Kanaabi observed that, it is the role of the CSOs and media to point out the aspects that are contentious and do not promote the access to information like in the case of Paraguay, where such a law was passed and repelled after only one month.

He noted that it is unfortunate that, some Commonwealth countries, especially Britain has retained the Official Secrecy Act, which they continue to use against the journalists. In the case of Uganda, it was not the will of Government to have this law in place until the Private Member's Bill was drafted.

Importance of the Access to Information Act

- For democracy to exist, there is a need to access information;
- Access to Information helps the market to grow;
- Gives an individual autonomy on what to do;

Discourages the culture of secrecy which inhibits progressive and informative debate, promotes corruption and creates a lot of speculation.

Threats of Access to Information Laws Worldwide

- Lack of political will to have them implemented.

War on terror

Players of the Access to Information

- Person with the information – do they understand the importance of giving the information?
- Disseminators – Media and CSO, do they appreciate the importance of disseminating his information accurately.

Consumers – Academia and legislators also need to have the information.

He concluded with the fact that, the key players of the access to information had a responsibility in ensuring that the Access to Information Act is put to good use.

Emerging Issues

- *Information Officers: Access to information is lacking and there is need for an amendment to the effect that public servants who contravene the Access to Information Act be penalized.*
- *Implementation: Issue of its implementation should be put in context. Even if money has been passed by Parliament, it can't be spent until revenue is available to do so. Thus, there is a political will to implement the Act but, poverty is a hindrance though there is also a possibility of poor planning by the Government.*
- *Creation of the Access to Information Bill: It was not the will of Government to have the Access to information law in place until there was a threat of a Private Member's Bill. Thus, Government can only succumb to pressure.*
- *Bureaucracy: Bureaucracy by the Government official should be minimized in the case of accessing information by the citizens especially journalists.*

Balancing the Scales: The Right to Information and National Security

Panel Discussion

Mr. Robert Sserumaga – Senior Media Consultant

Major A. A. Kagolo – Deputy Chief, Legal Services, UPDF

Mr. Apollo Asinja – Public Relations Officer, Uganda Prison Service

Mr. Robert Sserumaga

- In public life and politics, perceptions are often as important as realities. That is why we have the perception management industries and spin doctors.
- The State and government are not supposed to be the same thing but governments often want it that way. Where a threat to them is a threat to “the State”.
- The best way to build national security is to have a common army with all the stakeholders in the nation represented. Without the oneness;
 - * You create an entry point for enemies through having a dissatisfied section of the population.
 - * You develop a “us” and “them” mentality at Government level where you cannot share information.
- Questions that need direct answers but considered as national security:
 - * What is the total percentage of Western Ugandans (especially Bahima) in senior positions (major and above) in the Uganda People’s Defence Forces (UPDF)?
 - * Total percentage of South Western Ugandans in general in senior positions (major and above) in the Uganda People’s Defence Forces (UPDF)?
- What is the ethnic breakdown of those getting State house scholarships and what is the selection criterion?
- What is going to be the distribution process for Bunyoro oil?
 - * Why was it that an army barracks was one of the first things to be built there? A lack of oneness will create a Niger Delta scenario.
- Therefore the problem of information access becomes a symptom of a bigger problem of governance.
- Advantages of Access to Information
 - * Guarantees fair policies as, they can be “audited” by the public.
 - * Ensures that nobody will want to destroy what they know they are benefiting from.
 - * Removes the perception of unfairness.

- What can be done to balance the scales:
 - * Separate the issues, agree on what is and is not “sensitive” information
 - * Tackle and remove actual imbalances that give rise to arguments about “representation” that often turn into conflicts that become threats to the *Government security* as opposed to claimed *National security*.
 - * Uganda should stop making enemies (Kenya, Sudan, DRC, Rwanda etc) who then develop an interest in the information about Uganda which is then shielded in the “national” interest.

Major A. A. Kagolo

- All rights are not absolute; they have limitations, especially where national security is concerned. National security is very important and very sensitive. It affects everybody not only at the national but international level as well. Without security, there can be no development and thus, it should be guarded jealously.
- Morale is very important to a soldier with or without a gun so, demoralizing stories that may not necessarily be accurate should be avoided by the media.
- There should be no separation between Government and the State. Governments have a duty to protect the State thus, cannot be separated.

Mr. Apolo Asinja

- In the Uganda Prisons Service, there is an open-door policy that allows the journalists to go to the prisons and interview the inmates. The only limitation lies with the fact that cameras are not allowed in the prisons.

Emerging Issues

- National Security: Classification of what national security is.
- Governments and States: Governments should appreciate the fact that States are here to stay whereas Governments come and go. Thus, the two should be separated.

The Access to Information Act 2005: 'A Catalogue of Exceptions'


Discussant

Prof. Fredrick Jjuuko
Professor of Media Law, Faculty of Law, Makerere University

- The importance of information has generally been underlined. As the world moves deeper into the information age, the avenues of distributing information will have to change.
- The exemptions in the Access to Information law need to be appreciated in the context of where Uganda is coming from. Exemptions and exclusions are not put in mandatory terms where a person may or may not give the information. The exemptions are also meant to bar non-citizens from accessing national information.

Entrenching Openness: Implementing the Right to Information in Practice

Mr. Venkatesh Nayak,
Coordinator, Right to Information Program,
Commonwealth Human Rights Initiative, New Dehli, India.



Commonwealth Human Rights Initiative

Entrenching Openness in Uganda


Implementing

The Access to Information Act, 2005

by

Venkatesh Nayak


www.humanrightsinitiative.org



Difference Between ATIA and other laws


- ✓ Ordinarily, laws are made by people's representatives, implemented by the Government and obeyed by the people
- ✓ Access to Information Act is made by people's representatives, implemented by the people & obeyed by the Government

Access to information has the potential to change power equations between the rulers and the ruled



Prioritising Implementation

- ✓ If resources pose a constraint start implementation in those public bodies that have greatest public interaction
- ✓ Set up a committee of senior civil servants from these public bodies to supervise compliance
- ✓ Lay down timelines for implementation of various provisions (details on the next slide)
- ✓ Build into budget estimates expected expenditure on implementing various provisions of the Act



- ✓ Identify public bodies at various levels of govt.
- ✓ Designate Information Officers and publish contact details in public directories
- ✓ Make regulations for implementation
- ✓ Prepare Section 7 manuals
- ✓ Publish categories of records to be proactively disclosed under Section 8
- ✓ Lay down a uniform internal appeals mechanism
- ✓ Publish guidelines for Information Officers, officers handling internal appeals and Courts

Setting up Systems

- ✓ Review existing laws that impede access to information
- ✓ Overhaul records maintenance and management systems – use electronic means for information storage and retrieval
- ✓ Review and revise security classification of records in light of the exemptions. Ensure time bound declassification and archivisation
- ✓ Lay down procedures for inspection, granting copies of records on request
- ✓ Develop registers and reporting formats

Do not make pre-printed application forms compulsory

Some critical issues - pitfalls

Gateway Issues:

- ✓ Information Officer refuses to accept information requests
- ✓ Information Officer refuses to transfer request to concerned public body – 21 days – too long
- ✓ Information Officer demands reasons from requestor for seeking information
- ✓ Give access to records but deny information – compilation, collation, giving opinions, answering questions

Solution: Make these offences liable for penalty under the Act – through regulations – Section 47(3)

Other Issues:

Some critical issues - pitfalls

- ✓ Fees charged must be reasonable – no search, collation, computer and human resource charges. Only actual reproduction costs should be charged – He/she is taxpayer – remember?
- ✓ Waive fees for poor people, information that is sought in the public interest and delayed access
- ✓ Requester should have a role in third party proceedings – quasi-judicial procedure
- ✓ If Information Officer fails to furnish information despite paying fee or upon court's direction – penalise him/her

Increase Awareness about ATIA

Supply side:

- ✓ Develop training curriculum for information officers
- ✓ Mainstream ATIA into regular training programmes and refresher courses for officers

Demand side:

- ✓ Develop educational materials for CSOs and media
- ✓ Develop public education resources for use at the community level
- ✓ Educate people about the law – especially drafting information requests

ATIA – role of civil society and the media

- ✓ **Potential educator** → Spread awareness about ATIA amongst people.....focus on disadvantaged groups
 - make public authorities accountable
- ✓ **Potential requestor** → Use ATIA to –
 - expose corruption & malgovernance
 - ensure participatory governance, planning & implementation of govt. schemes
 - become repository of information for the people

ATIA – role of civil society and the media

- ✓ **Potential advisor** → Advise & assist citizens to access information from public authorities – trouble shooter role
 - Monitor public bodies for compliance
 - Design, conduct and publicise results of implementation audits
- ✓ **Potential monitor** → Advocate with govt. and public bodies for better implementation

The Almighty and Openness

“Ask,
and it shall be given to you;
seek,
and you shall find;
knock,
and it shall be opened unto you.
For every one that asketh
receiveth;
and he that seeketh
findeth;
and to him that knocketh
it shall be opened.”

Matthew 7: 7-11

Developing Mechanisms to Operationalize the Legislation: What Steps have been Initiated?

*Mr. Faustine Misanvu,
Ag. Commissioner Monitoring & Inspection, Directorate of Information, Ministry of Information & National Guidance*

Against a global backdrop, implementation of the Access to Information Act 2005 will be influenced by its unique structure since it's unlike other Access to Information laws like those in Finland and South Africa.

Both countries have Commissioners with specific legal status, functions and funding. Uganda's Access to Information Act remains (in my opinion), silent and is at best vague on the key areas of implementation, compliance and monitoring.

In South Africa, promotion of the Access to Information Act is a unit of the South Africa Human Rights Commission. It supervises five (5) people responsible for its implementation and their roles are, among others;

- * To guide
- * Develop and conduct educational programs to advance the understanding of the access to information act by the public, especially disadvantaged communities
- * Train information officers
- * Receive reports
- * Report to Parliament annually on the enjoyment of access to information
- * Both Ireland and South Africa belong to the more than 25 member conference of information commissioners.

In Uganda, the Access to Information Act has generated a lot of interest from stakeholders like the Judiciary and Inspectorate of Government. They have pointed out the need for quick implementation of the law to fight corruption and entrench the rule of law.

Challenges of the Initiative to Implement the Access to Information Act 2005

- * Funds and logistical support from government.
- * Silence on the specific implementing agency / institution.
- * Inherent weaknesses in the act like an individual citizen's interest in accessing, protecting and recording oneself.
- * Short time frame
- * Inconsistent status of the Directorate of Information.
- * The major challenge to the Roundtable stakeholders is to ensure this initiative gets into the foundation of synergy initiatives.
- * Anticipated monitoring mechanism for all ministries to comply with # 43 Annual report by each ministry to Parliament.
- * Directorate of Information to draw up and implement a comprehensive education tool for officers of public bodies.
- * Recommended public and private bodies to change their attitudes in the administration of the Access to Information Act.

- * Receive reports from public and private bodies on the problems they encounter in complying with the Access to Information Act.
- * Opportunities by the Directorate of Information to get experiences, practices and best practices through attending conferences of Information Commissioners.

Emerging Issues from Both Presentations

- Declassification of Information: Internationally recognized timeframe for information to be declassified?
- Implementation plan: Clear implementation plan especially for the rural and urban poor.
- Gender: The Act is not engendered thus, it should be done at the implantation stage

Facilitation of Implementation of the Legislation: Developing a Culture of Transparency and Accountability

*Mr. John Mitala,
Head of Public Service / Secretary to the Cabinet*

The fact that access to information in the possession of the State or any other organ or agency of the State is now provided for in the Constitution and operationalized by an Act of Parliament is an important development.

Although issues of accountability, integrity and transparency have increasingly become topical under the general theme of good governance, transparency and accountability are not new. Ancient literature like the Bible had components of it in the stories of Cain and Abel, story of talents given to three servants and the story of Ananias and his wife Sapphira among others.

Factors that facilitate the implementation of the legislation

- * Supportive constitutional provisions – although the legislation was primarily enacted to operationalise Article 41 of the Constitution, there are other provisions in the Constitution which should encourage people to seek information as provided in the Act. Such provision is the National Objectives and Directive Principle of State Policy No. 26 on accountability.
- * Re-examination of the Official Secrets Act with a view to removing any provisions which may be in conflict with the provisions of Article 41 of the Constitution and the Access to Information Act 2005.
- * Putting in place a simple but effective institutional arrangement through which information can be accessed. Each Ministry, autonomous and semi-autonomous Government institutions should be designated a Senior Officer as an Information Officer to be a focal person for access to information.
- * Sensitization and education for both those in custody of the information and the wider public which may want to access the information.
- * Translating the law into simple user friendly versions. Since accountability is at various levels right from the village, translating the law and having it published in simple to read booklets generally known as popular versions will quickly arouse the interest of the people to get on board for access to information as a contribution towards good governance.
- * Timeliness – as much as possible, information requested for should be availed quickly.
- * Culture of reading – if the law is going to enhance the culture of accountability, Ugandans need to build a strong culture of reading. There is a lot of useful information which is deemed to be public knowledge.

Factors the may hinder the implementation of the Act

- * Fear of possible misuse – notwithstanding the clear provisions of the law, fear of possible misuse of the information being asked for may make the information officer reluctant to provide the information in a timely manner.
- * Distortion – deliberate or careless distortion of information undermines the cordial relationships that must exist between those who are in custody of information and those who may seek access to it.
- * Corruption – the law does not appear to be clear about unauthorized giving away of information especially if this is as a result of corruption.

Since information is power, there is no way the culture of transparency and accountability can be developed and sustained without people having the right access to information.

Discussant

Mr. Ibrahim Semujju Nganda
Political Editor, The Weekly Observer

Story to form the basis of his discussion

In 2004, The Weekly Observer published a story on the amount of money to be spent on educating the then Vice-President, Dr. Specioza Wandera Kazibwe at Harvard University, USA. It amounted to 1.5 billion shillings (1,500,000,000/=). He called the State House Comptroller and was told that he should disregard the “lie”. When he called Dr. Wandera Kazibwe, she told him to ask State House.

Challenges

- * Attitude of the people working in the government offices - they make it appear like giving one the information is just doing one a favour. They need to understand that they are serving the public and not their appointing authorities when it comes to giving out information.
- * The culture of transparency and accountability - who does the Inspector General of Government serve, when information requested for is not released because a requisition form hasn't been gazetted.
- * Procedure of requesting for information should be different for the media, researchers and scholars.
- * The lack of access to information in the past was not necessarily due to the absence of the law but, presence of “professional liars” in the government.

Emerging Issues

- Information Officers: How much authority and lee-way will they have in giving I information?
- Role of the Government Information Bodies: Role of the media council vis a vis media centre vis a vis Ministry of information? Wasn't the Ministry of Information doing its job well?
- Attitude of Civil Servants – Aspect of attitude is two-way. The public too needs to change its attitude while requesting for information because, the public servant may not genuinely have it.

Protection of Whistleblowers; The Role of Government

*Justice Faith E. K. Mwondha
Inspector General of Government (IGG)*

Presented by
*Ms. Susan Bisharira
Director of the Leadership Code, IGG's Office*

Corruption is a threat to our society today since it touches the core of the social, political and economic well being of the country. Corruption has far reaching implications and its existence is an indication that there is moral decay, lack of integrity and unethical conduct in the management of public affairs. There is no doubt corruption impairs effectiveness and efficiency in the administration of public offices resulting into delayed services and corruption.

The Inspectorate of Government cannot carry out its functions alone without the assistance of the public because, institutions rely on each other for information. Corruption occurs in secrecy hence making it difficult for agencies like the Inspectorate of Government, Police and Directorate of Public Prosecution (DPP) to procure sufficient and concrete evidence for prosecution.

People are always aware of corruption in their midst but fear to report it, for fear of victimization, harassment, intimidation and threat to personal life. As a result of fear, witnesses do not come forward to testify or even give evidence during investigations.

However, the concern is protection of these persons that provide the Inspectorate of Government, Police and other agencies with such information to encourage them to take part in exposing the corrupt.

Uganda has no Whistleblower Protection Legislation per se. The Legislation is to encourage and facilitate disclosure of corrupt acts, improper conduct by public officials or public bodies; and to provide protection for persons making such disclosure and those who may suffer detrimental action as a result of those disclosures. The law will provide for the matters disclosed to be investigated and dealt with.

Definition of a Whistle Blower

A Whistleblower is basically defined as a [person who on his own free will makes a disclosure on corruption, misconduct, misbehaviour or maladministration, abuse of office and or criminal offence by a public official or agent or body or private sector to a person or agency capable of investigating the complaint and facilitating the remedies of the wrong doing.

Benefits of a whistleblower

- * Whistle-blowing can be seen as serving public interest
- * It helps to restore public trust and confidence in government and its processes.
- * It enhances accountability within public offices.
- * It creates opportunity to correct the misconduct or maladministration or corruption, or wrongdoing.
- * It exposes corruption and in so doing assists the enforcing agencies to get evidence and punish the perpetrators of corruption and brings the corrupt to justice.

Who is a potential whistleblower

People who disclose are usually persons who know the internal mechanisms and systems of the department, institution or organization involved and these are first and foremost the employees or contractors.

A former employee can also be a potential whistleblower and should be provided with sufficient incentives to disclose corruption or improper conduct by a former employer.

The legislation should extend to ordinary persons also because there are occasions where disclosure of information about a public official or institution comes from a person who is close to the public official and has information about him or her and the institution that the public official works for.

Offences / Sanctions

Protecting whistleblowers and thus encouraging people to speak out clearly increases the chances of detection. Therefore sanctions should be sufficiently severe to guarantee the protection of the whistleblower and instill confidence in the people. The offences and penalties should include:

- * Issuing threats against the whistleblower – the person issuing threats should be given a deterring sentence.
- * Disclosing the identity of the whistleblower – any person who discloses the identity of the whistleblower should be given a deterring punishment to discourage others from disclosing identities of whistleblowers.
- * Taking detrimental action against the whistleblower by the employer – any person being the employer or supervisor of the whistleblower and taking detrimental action against him or her should be given custodial sentence.
- * Making false disclosures – any person who knowingly provides information knowing it to be false intending the said information to be acted upon as disclosed, should be punished.

Whistleblower Protection Legislation would be a timely legislation. It would be in line with the International Conventions against preventing and fighting corruption. Government needs to enlist the participation of the general public in the fight against corruption and unethical conduct by those who are entrusted with managing public affairs. Its importance cannot be overemphasized.

The public has a role to play through reporting corruption and wrong doing while the government's role is to protect and reward persons who disclose. This enhances and strengthens investigation and protection of cases and builds public confidence in the

Emerging Issues

- Role of the IGG: Role of the IGG as an inspector who cannot prosecute and is instead portrayed as a "barking dog that doesn't bite".
- Public awareness: Measures taken by the IGG to educate the public on the aspect of declaration of assets.
- Access to Information by the media: Is a media house a citizen that can have access to information from the IGG even with the availability of requisition forms?

CLOSING REMARKS

Mr. Apolo Kakaire

*Manager, Rights, Monitoring and Advocacy Project
Foundation for Human Rights Initiative (FHRI)*

In his closing remarks, Mr. Kakaire gave a brief on the objective of the Roundtable and what it had discussed during the two days.

On behalf of FHRI and the organizing team of the Roundtable, Kakaire thanked the participants for their attendance and deliberations as well as the Directorate of Information in the Ministry of Information and National Guidance, for helping in the coordination and organization of the Roundtable.

Mr. Faustine Misanvu

*Ag. Commissioner Monitoring & Inspection, Directorate of Information,
Ministry of Information & National Guidance*

Mr. Misanvu thanked the participants and called on them to avoid being confrontational and instead work together with Government to implement the Access to Information Act 2005.

He then read through the “Kampala Declaration on the Implementation of the Access to Information Act 2005” for the benefit of the Hon. Minister of State, Ethics & Integrity.

Hon. Dr. James Nsaba Buturo

Minister of State, Ethics & Integrity, Office of the President

In his closing remarks, Hon. Nsaba Buturo pointed out that:

- The enactment of the Access to Information Act 2005 was an indication of Government willingness to see good governance in Uganda. It was not afraid of having an “open government” through the access of information.
- Government was fully supportive of the implementation of the Act because it was aware that people who are informed become active participants and partners in the country’s governance. An uninformed people are a burden to development.
- The country has come a long way since it was not easy getting the law in place. All fundamentals for having a country that is **free, stable and prosperous** are in place.
- The challenge now lies in the implementation of the Act which will be done as fast as resources allow.
- As Minister of Ethics and Integrity, he is keen to see implementation of the law taking place. The law will rejuvenate government’s campaign against corruption.

It will empower the Civil Society Organisations and the media to do a better job of investigating, exposing and informing.

He finally urged the participants not to only criticize but play their part as well.

APPENDICES

KAMPALA DECLARATION ON THE IMPLEMENTATION OF *THE ACCESS TO INFORMATION ACT, 2005*

Kampala Declaration

on

The Implementation of *The Access to Information Act, 2005*

WE, the participants of the Round Table on *The Access to Information Act* (ATI Act) 2005 having assembled at the Sheraton Kampala in Kampala on 18th and 19th September 2006, representing various sectors of government, civil society and the media, express our unequivocal support for the full operationalisation of the ATI Act. WE recognize that Article 41 of our Constitution guarantees access to information as a fundamental right to every citizen and that it is not a favour given to the people. The ATI Act was passed by Parliament to enable people to seek and receive information held by public bodies. WE also recognize that the ATI Act when fully implemented will play a seminal role in developing a synergic spiral of prosperity crucial for the eradication of poverty, and the elimination of corruption fostering open government.

WE believe that a proper implementation of the ATI Act requires collaboration between Government on the one hand, the national human rights institution, civil society and the media on the other. WE believe the following areas require urgent attention if the people's right of access to information is to be truly realized:

1. The regulations that will lay down the detailed procedure and guidelines for seeking and giving information under the ATI Act should be drafted and implemented immediately. The Government should involve representatives of Uganda Human Rights Commission (UHRC), civil society organizations and the media in this process;
2. Public bodies that have a duty to provide information under the law should be identified at all levels of Government and Information Officers should be designated in all such bodies immediately. Contact details of all Information Officers should be published in public directories and on the Internet immediately;
3. Every public body should immediately initiate the process of preparing proactive disclosure manuals required under Section 7 and 8 of the ATI Act and make them available to the people within the deadline stipulated in the law;
4. The Government should immediately constitute a high level committee of legal experts drawn from the public service, UHRC, the civil society sector, the media and academia to harmonize the secrecy provisions in other laws such as the Official Secrets Act with the provisions of the ATI Act in order to avoid contradiction and confusion;

5. The Government should issue guidelines for the interpretation and the application of the exemptions to disclosure vis a vis the public interest as mentioned in Part III of the ATI Act and also review the operation of the Act from time to time in order to facilitate greater access to information;
6. The Rules Committee should make rules of procedure for the courts to regulate the procedure in respect of applications made under Sections 35 and 40 of the ATI Act within the deadline stipulated in the law;
7. Holders of information, to which citizens have a rightful claim under the law, should be properly sensitized through professionally designed training programmes so that they are fully aware that they are accountable to the people;
8. The people in general and representatives of civil society and the media in particular should be sensitized about the provisions of the ATI Act and trained in the art of making information requests. Representatives of UHRC, civil society and the media should be involved in all such exercises;
9. Public education resources such as simple language versions of the ATI Act and User Guides in local languages should be developed and disseminated as widely as possible particularly targeting the disadvantaged and vulnerable members of the community. Representatives of UHRC, civil society and the media should be involved in all such exercises;
10. The Government should allocate adequate resources for implementing the ATI Act and awareness raising programmes.
11. The Government should clarify the appeals system and internal procedures in the public bodies as required by the ATI Act.

WE recognize the need for bringing private bodies that receive public funds or those which perform public functions within the purview of the ATI Act. **WE** have further resolved to work together in a spirit of collaboration for securing full and proper implementation of the ATI Act.

(Declaration Adopted Unanimously)

Kampala, 19th September 2006

List of Participants

No.	NAME	DESIGNATION / ORGANISATION
Guests of Honour		
1.	Hon. Rt. Hon. Kirunda Kivejinja	3 rd Deputy Prime Minister / Minister of Information and National Guidance
2.	Hon. Adolf Mwesige	Minister of General Duties, Office of the Prime Minister
3.	Hon. Dr. James Nsaba Buturo	Minister of State, Ethics & Integrity, Office of the President
Resource Persons		
4.	Dr. Henry Onoria	Senior Lecturer of Law, Faculty of Law, Makerere University
5.	Mr. Haruna Kanaabi	Coordinator, East African Media Institute
6.	Mr. Kalundi Robert Sserumaga	Senior Media Commentator
7.	Prof. Fredrick Jjuuko	Professor of Media Law, Faculty of Law, Makerere University,
8.	Mr. Venkatesh Nayak	Coordinator, Right to Information Program, Commonwealth Human Rights Initiative, New Delhi, India
9.	Mr. Faustine Misanvu	Ag. Commissioner, Monitoring & Inspection, Directorate of Information, Ministry of Information and National Guidance
10.	Mr. John Mitala	Head of Public Service / Secretary to the Cabinet
11.	Mr. Ibrahim Semujju Nganda	Political Editor, The Weekly Observer
12.	Justice Faith Mwendha	Inspector General of Government
13.	Ms. Susan Bisharira	Director of Leadership Code Office of the Inspector General of Government
Participants		
14.	Major Timothy Kanyoganya	Principal Legal Officer Chieftaincy of Military Intelligence, Uganda Peoples Defence Forces (UPDF)
15.	Lt. Emmy Ekaruhanga	Legal Officer, Office of the Spokesperson, Uganda Peoples Defence Force (UPDF)
16.	Major A. A. Kagoro	Deputy Chief of Legal Services, Uganda Peoples Defence Force
17.	Ms. Zam Addah	Press Officer - Civil-Military Relations, Uganda People Defence Forces (UPDF)
18.	Ms. Adrienne Kabatanzi	Civil- Military Relations, Uganda Peoples Defence Force
19.	Ms. Julie Gipwola	Ministry of Information & National Guidance, Office of the Prime Minister

20.	Mr. Fred Nangoli	Information Officer, Vice President Press Unit, State House
21.	Ms. Mary Buhamizo	Principal Information Officer, (Dissemination), Ministry of Information & National Guidance
22.	Mrs. Sylvia Birahwa Nakabugu	Ag. Principal Information Officer (Monitoring & Inspections) Ministry of Information & National Guidance
23.	Ms. Faridah Sengooba	Information Officer, Ministry of Information & National Guidance,
24.	Mr. Jimmy Adar	Office of the Prime Minister
25.	Mr. John B. Kaija	Office of the Prime Minister
26.	Mr. John Byabakama	Uganda Media Centre, Office of the President
27.	Hon. Henry Banyenzaki	Member of Parliament, Parliament of Uganda
28.	Hon. Hussein Kyanjo	Member of Parliament, Parliament of Uganda
29.	Ms. Helen Nanteza Kawesa	Public Relations Officer, Parliament of Uganda
30.	Ms. Joyce Ngaiza	Lawyer, Netherlands Embassy
31.	Mr. Muriuki Jeremiah Wachira	Volunteer, Minority Rights Group International
32.	Mr. Geoffrey Wokulira Ssebagala	Programme Coordinator, Human Rights Network for Journalists/ Reporter - Radio Sapientia
33.	Mr. Musa Modoi	DCP, DANIDA - HUGGO
34.	Ms. Sophie Kutegeka	Programme Officer, Advocates Coalition for Development & Environment (ACODE)
35.	Mr. Jasper Tumuhimbise	Senior Programme Officer, Anti-Corruption Coalition of Uganda (ACCU)
36.	Mrs. Sylvia Muwebwa Ntambi	Governance/Legal Advisor, German Technical Cooperation (GTZ)
37.	Mr. Kahima John Rebman	MA Human Rights Student, Makerere University
38.	Mr. Godfrey Sssali	Communications/ Advocacy Officer, Centre for African Research & Development- Uganda
39.	Mr. Steven Mondo	Coordinator, Rakai Development Foundation
40.	Mr. Mukotani Rugyendo	Publications Editor, Uganda Debt Network
41.	Mr. Sam Kayiwa	News Editor, Power FM
42.	Mr. Onyait Aloysius	Legal Officer, Uganda Broadcasting Corporation
43.	Ms. Salome A Lukwiya	Programme Officer, NURRU

44.	Mr. Deo Tumusiime Kabwende	Press Officer, East & Horn of Africa Human Rights Defenders Network
45.	Mr. Peter Okello Jabweli	Press & Public Relations Officer, Electoral Commission
46.	Mr. Eliasa Kisawuzi	Public Relations Officer, Judiciary of Uganda
47.	Mr. Patrick Tumwine	HRD/Advocacy Officer, HURINET-U
48.	Ms. Patricia Nduro Musingura	Human Rights Officer, Uganda Human Rights Commission (UHRC)
49.	Ms. Florence Munyirwa	Public Relations Officer, Uganda Human Rights Commission (UHRC)
50.	Mr. George Mutagubya	Communications & Public Relations Officer, National Planning Authority
51.	Ms. Hess Regihe	Deputy Head of Mission, Germany Embassy
52.	Mr. Michael Wambi	Chairman, Uganda Parliamentary Press Association (UPPA)
53.	Ms. Olivia Nyakarungi	National Programme Assistant UN-OHCHR
54.	Mr. Joseph Ntiro	Director, Asante Foundation
55.	Mr. Donantus Orikiriza	Programmes Manager, National Foundation for Democracy and Human Rights in Uganda (NAFODU)
56.	Mr. Apollo Baker Asinjah	Public Relations Officer, Uganda Prison Service
57.	Mrs. Ann Abeja Muhwezi	Legal & Administrative Manager, Monitor Publications Limited
58.	Ms. Cate Najjuma	Programme Support Officer, Irish Aid
59.	Mr. Steven Asiimwe	Mass Communication, Makerere University
60.	Mr. Steven Kwesiga	Lecturer, Makerere Business Institute
61.	Mr. Abel Atwine	Ag Public Relations Officer, Uganda Law Reform Commission
62.	Mr. Michael Kayiwa	Paralegal, Kampala
63.	Mr. S. S. Komunda	Principal Assistant Secretary, Ministry of Internal Affairs
64.	Mr. George Ntambaazi	Makerere University Kampala
65.	Mr. Milton Goddie Tumutegyeize	Ag Executive Director, Public Procurement & Disposal of Public Assets Authority
66.	Mr. Abdul Katuntu	Partner, Katuntu & Co Advocates
67.	Mr. Joel Masembe	CEDA Kampala
68.	Mr. Emmanuel Tumusiime	President General, Forum for Integrity in Leadership Party
69.	Mr. Ken Lukyamuzi	President General, Conservative Party
70.	Mr. Mike Kalemera	Secretary, Conservative Party

71.	Mr. Ali Mubiru	Administrative Secretary, Conservative Party
72.	Mr. Ssemusu Mugobansonga	Secretary General, Young Conservatives, Conservative Party
Secretariat		
73.	Mr. Livingstone Sewanyana	Executive Director, FHRI
74.	Ms. Sheila Muwanga	Deputy Director – Programmes FHRI
75.	Mr. Apolo Kakaire	Manager Rights Monitoring and Advocacy Unit FHRI
76.	Mr. Vincent Babalanda	Team Member Rights Monitoring and Advocacy Unit FHRI
77.	Ms. Carol Adoch	Team Member Rights Monitoring and Advocacy Unit FHRI
78.	Ms. Wendy Kasujja	Public Relations Officer FHRI
79.	Ms. Shamim Ddembe	Resource Centre Assistant FHRI
80.	Mr. Daniel Bakayana	Field Officer, FHRI
81.	Mr. Patrick Tom	Intern, FHRI
Media		
82.	Mr. A.G. Musamali	The New Vision
83.	Mr. Nicholas Oned	The New Vision
84.	Mr. Roderick Ahimbazwe	The New Vision
85.	Ms. Evelyn Liri	The Daily Monitor
86.	Mr. Samuel Wossita	The Daily Monitor
87.	Ms. Halima Abdallah	The Weekly Observer
88.	Mr. Stephen Galiwango	Red Pepper/Kamunye Daily
89.	Mr. Tom Mutebi	WBS TV
90.	Ms. Martha Nattembo	UBC TV
91.	Mr. Matia Lwanga Bwanika	CBS
92.	Mr. Collins Jjuko	CBS
93.	Mr. Edwin Mamuto	Sanyu FM
94.	Mr. Hakeem Buza	Radio One
95.	Mr. Robert Kagolo	Super FM
96.	Mr. Eddie Kasirivu	Star FM
97.	Mr. Adrian Mususwa	Farmers Newspaper
98.	Mr. Sam Nabwiso	Kiira FM
99.	Ms. Zowena Nakayemba	Voice of Africa
100.	Mr. Julius Ssenkandiwa	Metro FM
101.	Mr. R. Yawe	Metro FM
102.	Mr. George Khauhka	Freelance

Agenda

Monday 18th September 2006

8:30am – 9:00am	Arrival and Registration
9:00am – 9:30am	Practical Matters & Introductions
9:30am – 10:30am	Opening Session Introductory Remarks Mr. Livingstone Sewanyana, <i>Executive Director, FHRI</i> Keynote Speech on the theme: “Fostering Open Government through Access to Information” Guest of Honour, Hon Al-Hajji Ali Kirunda Kivejinja, <i>3rd Deputy Prime Minister</i> <i>Minister of Information & National Guidance</i>
10:30am – 11:00am	Tea Break
11:00am – 11:40am	The Value of the Right to Information in Uganda: Underpinning Practical Experiences from the Commonwealth Countries, Dr Henry Onoria, <i>Senior Lecturer of Law, Faculty of Law, Makerere University</i>
11:40am- 12:00pm	Discussant Mr. Haruna Kanaabi, <i>Coordinator, East African Media Institute</i>
12:00pm – 1:00pm	Plenary Discussions Participants
1:00pm – 2:00pm	Lunch Break
2:00pm – 2:40pm	Balancing the Scales: The Rights to Information and National Security Major Felix Kulaigye, <i>Spokesperson, Uganda Peoples’ Defence Forces (UPDF), Ministry of Defence</i>
2:40pm – 3:00pm	Discussant Mr. Kalundi Robert Serumaga, <i>Senior Media Commentator</i>

3:00pm – 3:30pm	Plenary Discussions Participants
3:30pm – 4:10pm	The Access to Information Act 2005: 'A Catalogue of Exceptions' Mr. Kagole Kivumbi, <i>Director of Information,</i> <i>Ministry of Information & National Guidance</i> <i>Office of the Prime Minister</i>
4:10pm – 4:30pm	Discussant Prof Frederick Jjuuko, <i>Professor of Media Law,</i> <i>Faculty of Law, Makerere University</i>
4:30pm – 5:00pm	Plenary Discussions Participants
5:00pm	Evening Tea Break
5:30pm	Departure

Tuesday 19th September 2006

8:00am – 8.45am	Arrival and Registration
8.45am - 9:00am	Review of Day One deliberations
	<u>PANEL DISCUSSION</u>
9:00am – 10:00am	Entrenching Openness: Implementing the Right to Information in Practice Mr. Venkatesh Nayak, <i>Coordinator, Right to Information Program,</i> <i>Commonwealth Human Rights Initiative,</i> <i>New Delhi, India</i>
10:00am -11.00am	Developing Mechanisms to Operationalize the Legislation: What steps have been initiated? Mr. Faustine Misanvu, <i>Ag Commissioner Monitoring</i> <i>& Inspection, Directorate of Information,</i> <i>Ministry of Information & National Guidance</i>
11:00am – 11.30am	Plenary Discussion Participants
11:00am – 11:30am	Tea Break

11:30am – 12:10pm	Facilitation of Implementation of the Legislation: Developing a Culture of Transparency and Accountability Mr. John Mitala , <i>Head of Public Service / Secretary to the Cabinet</i>
12:10pm – 12:30pm	Discussant Mr. Ibrahim Semujju Nganda , <i>Political Editor, Weekly Observer</i>
12:30pm – 1:00pm	Plenary Discussions Participants
1:00pm – 2:00pm	Lunch Break
2:00pm – 2:40pm	Protection of Whistle Blowers: The Role of Government Justice Faith Mwendha , <i>Inspector General of Government</i>
2:40pm – 3:00pm	Discussant Dr Peter Mwesige , <i>Ag. Head Mass Communications Department, Makerere University</i>
3:00pm – 4:00pm	Plenary Discussions Participants
4:00pm – 4:30pm	Recommendations
<u>CLOSING SESSION</u>	
4:30pm – 5:00pm	Remarks by Mr. Wolfgang Hilbrer , <i>Resident Representative, KAF</i> Closing Remarks Hon. Dr James Nsaba Buturo <i>Minister of State, Ethics & Integrity, Office of the President</i>
5:00pm	Evening Tea Break
5:30pm	Departure



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