

Right to Information Act could benefit many

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Local people and reporters in Zanzibar have always shared their experiences of how difficult it has been in getting information they need. They insist that several leaders at village to national level remain reluctant to release information, even when it is important to the public.

The continued unwillingness and bureaucracy by many leaders at all levels in giving information necessitates, reporters and media stakeholders say, the current push for the two proposed 'Right to Information Act 2010', and 'Media Act 2010'. "Many leaders in district regional offices, ministries, and executives in public offices think it is their right to deny people and reporters information," reporters and media stakeholders lament.

The campaign for the Acts in Zanzibar started in 2009, and according to Shifa Said, coordinator (Zanzibar) of the Media Council of Tanzania (MCT), initiating the call for promoting Right to Information (RTI), says the campaign for the Acts has been gaining support from policy makers.

Amid bewail from various reporters particularly from Pemba Islands where getting information remains difficult compared to Unguja Island, MCT emphasizes on joining forces in lobbying for the information Acts to be accepted by the government and be presented in the Zanzibar House for Legislators approval as soon as possible.

"Contrary to the feelings from some elites that the two proposed 'Right to Information Act 2010', and 'Media Act 2010' may pave way for the releasing of the national secret information, the Acts are friendly and aims at increasing transparency in the government," Ali Yussuf, media stakeholders observe.

He says that some people are scared about the proposed acts just because they have not read thoroughly, "we need to make sure that the Acts are understood by many people, mainly law makers, and district/regional leaders, CBOs and other key groups in the society."

Veteran journalist and retired government civil servant Mariam Hamdan, also comments that although a considerable number of people including top leaders seem to agree with the proposed Information Acts, more collective efforts is required to woo more key people so that the Acts sails through smoothly.

"The proposed Acts aims at improving transparency and to benefit citizens. Journalists and media stakeholders need to work hard in lobbying for the freedom of information," she advises.

Fatma Saleh, a lawyer, argues that the Right to Information Act, if passed, will help drive government officials to give

information to people and reporters. "People need to access it; however, few sources in public institution know that most of the information should be public."

He says "secrecy breeds corruption and transparency is vital to the government. The government has several plans to help the socio-economic development but "due to bureaucracy, the programmes are unknown to the people." Reporters and media stakeholders in Zanzibar say since the government is implementing 'rule of law and good governance' it is high time to have the 'Right to Information Act 2010, and 'Media Act 2010' in place.

Nasima Chum, a senior journalist from the Zanzibar Department of Information, says that ridiculous excuses to block information to the public are unacceptable, "and reporters on duty should enjoy the freedom of collecting information and publish."

Reporters and the media have a great role in the development of the country, therefore urging people in both private and public positions, in rural areas and in the urban to develop desire of sharing information with the public through the media as long as it poses no threat to the national security.

"Why is it wrong for respective authorities to provide information about life in jails, in schools, in hospitals, and in villages? Knowing problems may help the government to overcome challenges if any," observes Rashid Omar Kombo, tutor at the Zanzibar College of Mass Communication.

Hassan Kassim, media stakeholder, argues that giving information is vital in observing human rights, "one may need to know justification for overcrowding in prisons, disease outbreaks, land disputes in tourists areas, efficiency in public offices, to help in finding solutions particularly in discovering dishonest officers."

MCT and its stakeholders are asking Zanzibar authorities to accept the two separate Acts knowing that freedom of the press plays a fundamental role in social, economical, and political development. Why two separate information Acts?

According to MCT one major proposal which emerged from the consultations with the various stakeholders in the mainland and Zanzibar was that there was a need to have two separate laws, one which would be an omnibus law to deal essentially with issues of right to information, access to information and freedom of expression.

The other law would deal mostly with the administration and regulation of the media and media practitioners. The main argument for the need to have two separate laws has been that the Right to Information law safeguards the rights of all citizens as set under Article 18 of the Constitution of the United Republic of Tanzania.

Article 18 states that: Every person has freedom of opinion and expression of his ideas; has the right to seek, receive and or disseminate information regardless of national boundaries; has the freedom to communicate and freedom with protection from interference from his communication; and has the right to be informed at all times of various important events of life and activities of the people and also of issues of importance to the society."

The proposed Right to Information law thus provides:

- To promote the constitutional right to access information; To lay down a procedures to access information through requests;
- To guarantee access to information kept by both public and private bodies; To impose a duty to publish key information by public bodies;
- To require public and private bodies to designate information officers who shall be responsible to help information requester to access information;
- To create a procedure of appeal for rejected application to access information to the High Courts. The Media Services proposed legislation is aimed at providing for the administration and regulation of the operations of mass media organisations and a specific group of professionals who work for the mass media organisations.

The law would thus confine itself to issues of: Licensing requirements for people carrying on media business, Establishment of binding codes of practices and ethics for media practitioners. MCT emphasizes; It should also be noted that the separation of the two bills is not alien in the traditions of law making in Tanzania and other jurisdictions.

Every Act of Parliament (or 'enactment') usually covers a particular field which needs to be controlled or regulated by law. By nature every enactment (or 'law') lays down rules of human behaviour which the citizen must obey on pain of punishment for their breach.

Parliament has full mandate to designate compulsory duties or to proscribe certain activities, and the delinquent person is liable for civil and/or criminal liability for 'non-feasance' or 'misfeasance' as the law prescribes for any particular field of activities.

Another reason for lobbying for the information Acts to be accepted, MCT says, was in support for both Zanzibar and Union commitment to Open Government Partnership (OGP) initiative, since the objective of OGP is to make government business more open to its citizens in the interest of improving public service delivery, government responsiveness, combating corruption and building greater trust.

OGP provides an opportunity for the governments to hasten, enhance and promote good governance, responsiveness as well as accountable government. It is going to be a useful tool in the hands of the citizens, CSOs, private sector and media in their demands for more openness in government transactions.

Promote public integrity and transparency, enhance proper management of public resources and fight corruption; and Strengthen mechanisms for citizens' engagement and participation in improving public service delivery systems in their areas, and that It is quite evident, that these noble aspirations cannot be achieved without a comprehensive and well thought Right to Information legislation in place.

Source: [allAfrica](#)

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