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National Security and Freedom of Information in Eastern Africa

Marking World Press Freedom Day, a major consultative meeting on national security and freedom of information in Eastern Africa was held in Dar es Salaam.

The two-day gathering was attended by senior government officials, legal experts, and civil society advocates from Ethiopia, Rwanda, Kenya, Tanzania, Uganda, Eritrea, South Africa and Southern Sudan.

This is the first of three consultative meetings planned for the African continent on the subject of national security and freedom of information as part of a global effort to establish a set of standards.

“National security is one of the strongest justifications for withholding information from the public,” said Binaifer Nowrojee, executive director of the Open Society Initiative for Eastern Africa. “Therefore, securing the right balance between the right to information and national security is critical for protecting the public’s right to know.”

The delegates reviewed a set of draft principles on national security and right to information. The principles are intended to provide guidance to governments, legislative and regulatory bodies, and civil society activists and experts in drafting and implementing laws or policies relating to the state authority to withhold information on national security grounds or to penalize the publication of such information.

94 countries have enforceable access to information provisions in their laws and/or constitutions; 10 of which are in Africa, guaranteeing the right to information to some 460 million Africans. The draft principles are based on international, regional and national law standards and best practices. They are part of an international process of developing consensus concerning the parameters of permissible restrictions on public information on the grounds of national security.

The consultative meeting was organized by the International Commission of Jurists (ICJ)-Kenya with the Open Society Initiative for Eastern Africa (OSIEA) and the Open Society Justice Initiative (OSJI).

For the Draft Principles see: <http://right2info.org/exceptions-to-access/national-security>

The Open Society Initiative for Eastern Africa (OSIEA) supports individuals and groups to participate in matters that affect them and to demand fair treatment, service delivery and accountability from their leaders, institutions and governments. www.osiea.org

The Open Society Justice Initiative (OSJI) uses law to protect and empower people around the world.

The International Commission of Jurists (ICJ Kenya) is a non-governmental organization promoting a just, free and equitable society.