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Sierra Leone: Pass Freedom of Information Bill

The government of Sierra Leone should urgently pass the pending Freedom of Information Bill (FOI), the Freedom of Information Coalition Sierra Leone (FOICSL), Human Rights Watch, and Amnesty International said today. The legislation would allow members of the public to obtain access to information held by public bodies including information that was previously inaccessible, or that was considered sensitive such as government contracts with multinational companies.

The bill was introduced in the House of Parliament in September 2010, and by October 2011 had gone through the first-, second-, third-, and committee-stage readings. More than a year later, a final vote has yet to happen.

The government has been promising us passage of this bill for too long. This legislation is key to addressing longstanding patterns of corruption and serious human rights violations, which were at the core of our brutal 11-year armed conflict.

The government and Parliament should show the necessary political will to pass the FOI bill into law. The executive and legislature in Sierra Leone have traded accusations that the other is to blame for the hold-up in enacting the legislation. Regardless of the reason for the delay, the government should present a united front and show the necessary political will to ensure that the bill is passed into law, the organizations said.

President Ernest Bai Koroma has made numerous public statements endorsing his ruling All People's Congress party's (APC) support for the passage of the Freedom of Information Bill. In 2009, he told the Sierra Leone Association of Journalists and a representative of the Freedom of Information Coalition, "Like the anti-corruption law, I want to pass the best FOI law in Africa."

In the 2007 Manifesto, the All People's Congress stated that "the principles of transparency and accountability and the elimination of corrupt practices are generally recognized as indispensable attributes for ... governance" and pledged that "an APC government will ensure strict adherence to these principles and practices." Adhering to these principles will be better guaranteed with the passage of FOI bill.

The government should stop dragging its feet on the Freedom of Information Bill. For the Sierra Leone people's welfare and in the interest of development and the rule of law, the government should embrace transparency, rather than thwart it."

In October 2004, the final report of the Sierra Leone Truth and Reconciliation Commission, tasked with establishing an impartial historical record of the country's conflict that ended in 2002, faulted years of bad governance, endemic corruption, and the denial of basic human rights with creating the conditions that made armed conflict inevitable. Many of the report's key recommendations were aimed at addressing bad economic governance and chronic lack of transparency. According to the report, "Building a viable country requires openness and transparency. This in turn requires that the freedoms of expression and association should be respected at all times. These freedoms are however, meaningless without access to public

information.”

The right to freedom of information is recognized as an element of the right to freedom of expression by major international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples’ Rights.

Freedom of information is essential for transparency and accountability in government and to ensure that services are delivered capably to the people, the Freedom of Information Coalition said. “When public officials operate in secret, the tendency to abuse and misuse powers is greater than when the public can access information about the daily happenings of public institutions,” said the group.

We call on the government and parliament to demonstrate their commitment to respect for human rights by passing the Freedom of Information Bill before the end of the parliament’s session in June.

The right to know is not merely important as an aspect of freedom of expression. It is also an important tool for bringing about the full realisation of all other human rights. The FOI will provide a means by which people can come to know about their rights and entitlements, identify when their rights are being violated and hold governments to account for their constitutional and international human rights obligations.