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South Africa: Controversial secrecy bill could ‘smother free speech’

The South African parliament must quash a draconian secrecy bill, Amnesty International said today as the government votes on a proposed law which could see journalists and whistleblowers in prison for investigating state wrongdoing.

If the bill is passed, journalists will no longer be able to argue that they are acting in the public interest by publishing sensitive information about the government. They could face up to 25 years in prison for publishing information which state officials want to keep secret.

Black-clad activists across the country have staged protests condemning the bill. In Johannesburg, demonstrators picketed the headquarters of the governing ANC, calling for “the right to know”.

“This fatally flawed bill, which is totally at odds with the South African constitution, takes us right back to the apartheid-era restrictions on free speech,” said Noel Kututwa, Amnesty International’s Deputy Director for Africa.

“If introduced, the bill will severely limit the crucial right of journalists and whistleblowers to expose corruption. The South African parliament must safeguard the media’s right to criticize the country’s leadership and vote against this proposed law tomorrow,” he said.

The African National Congress party is backing the Protection of State Information bill, making it likely that it will become law. The party says the new bill is not about “covering up corruption” or targeting the media but is being introduced to address threats of “foreign spies”.

Information which is currently available to the public under the Freedom of Information Act could be classified as “secret” by low-level officials, if the bill is passed.

State Security Minister Siyabonga Cwele has argued that the bill is necessary to overhaul outdated apartheid laws. He has also raised the possibility that activists who have held peaceful demonstrations against the bill are being “used” by South Africa’s enemies.

“If the government pushes the bill through, journalists and whistleblowers could potentially be branded as criminals. If they were to be imprisoned under this law, Amnesty International would regard them as prisoners of conscience, imprisoned solely for exercising their right to freedom of expression,” said Noel Kututwa.

Activist groups have vowed to challenge the proposed law before South Africa’s highest court, if parliament votes in favour of the bill.