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A weekly column on Good Governance, Accountability, Transparency and Responsibility
with a view to eliminating Corruption

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Role of the Media in Curbing Corruption

...and Promoting Human Rights in Vanuatu

Dr. 'Dejo Olowu presented this at the Transparency International Vanuatu Workshop on Developing Ethics and Citizenship in Vanuatu Through and With Media, held in Port Vila, 14 November 2006.

HUMAN RIGHTS ADVOCACY GROUPS adopted the observance of the 'International Right to Know Day' to press home the fact that the right to freedom of information must be fully enjoyed by citizens. Without public access to information, the public would not know how the business of government is carried out. Public scrutiny of the policies, processes and day-to-day running of government affairs demands that public access to necessary information about activities in governance is guaranteed.

The right to know is properly situated within the scope of effective democratic process where human dignity can be guaranteed through human rights promotion, and enforcement of the rule of law, accountability and transparency in governance. The 'right to know' in the thinking of civil society groups will help facilitate a process of adopting broad-based (or adapting, where necessary) freedom of information statutes extant across the world. Such a statute will ensure the gains of democracy for all citizens.

Concern for freedom of information statute in the South Pacific region has been increasing among various stakeholders in recent time, just as it is witnessed in other countries. In Vanuatu, while the discussion is yet to garner political support, there is hope that the law, if enacted in good faith, would do more good than is presently felt, given the regime of mundane obstacles to information access, particularly in public bureaucracy. Various stakeholders in this region have been expressing considerable frustration over access to information required from public agencies in the country. A freedom of information statute will grant citizens access to information in the various levels of the public administrative system.

Support for freedom of information in the public domain is actually an international issue. Globally networked activities have articulated the issue and its relevance to the good of the general public. The worldwide campaign for freedom of information draws its strength from the foundation

provisions of the Universal Declaration of Human Rights at the international level, which was adopted under the banner of the United Nations in 1948, and effectively found luridly expressed in national legal frameworks.

In Vanuatu, the 1980 Constitution confers on the citizenry political and civil rights, including the right to freedom of expression and the press (Article 5(1)(g)). All over the world, this right has been observed to be unrealisable, as fully as it should be, without freedom to access information on public issue matters. Thus, without freedom of information statute, the stage for political participation, governance and democratic development is not fully set for robust contribution and collective identity with the goals of policy decisions. The Vanuatu Constitution even makes this a "fundamental duty"! – Article 7, especially paragraph (d).

The situation in Vanuatu buttresses the fact that mere reflection of international law provisions on human rights in domestic legal frameworks does not necessarily translate to promotion, protection and enforcement of citizen's basic rights. In the Vanuatu situation, it is observed that other legal frameworks within the nation's legal domain make it difficult for full enjoyment of some of the rights and freedoms contained in the Constitution. This is the premise upon which we must base our clamour for the right to freedom of information.

Across the world, law can create unnecessary ambiguities bothering on freedom of information, making it difficult for the universally recognised rights of the citizens to be realised. Based on the experiences across many countries and widespread concern over the matter, an international conference in September 2002 created a platform for Freedom of Information Advocates Network to integrate and accelerate a global campaign in support of freedom of information worldwide. Since then, the effort to establish the right to freedom of information has been intensified in several places where the need is identified.

One initiative championing the free-

dom of information campaign as concerns Vanuatu, and other Commonwealth nations, is the Commonwealth Human Rights Initiative (CHRI), a civil society initiative based in New Delhi, India. Several groups campaigning for freedom of information are also not relenting in the effort to get law makers in various countries enact laws, and amend those that require amendment, to give effective access to public information by affected citizens.

Local stakeholders such as the media and rights-based advocates are equally contributing what it takes to support freedom of information regime that would guarantee individual rights, including freedom to information in the purported spirit of constitutional adoptions and expectations in affected countries. Advocacy networks continue to expand, broadening the horizon for more stakeholder contribution towards enactment of the statute and realisation of related benefits. Vanuatu cannot afford to be isolated from this global movement.

The broadening global interest towards the establishment of citizens-friendly freedom of information law is creating much impact in countries of the world. If a statute on freedom of information is enacted in Vanuatu, the freedom of information law will take care of impediments standing against the full enjoyment of the right, and related benefits to freedom of information.

In the instance of the enactment of freedom of information statute in Vanuatu, obstacles such as the Official Secrets Act could cease to continue making it impossible for activities of government to be shielded from public glare and necessary scrutiny. With the passing of the statute, the media, researchers and other members of the public could access public information without much hindrance, contrary to what obtains now.

The gains from a citizens-friendly statute on freedom of information will include the much desired accountability and transparency in governance. The full scrutiny and monitoring required for accelerating a viable dem-

ocratic development also remains to be enhanced by the regime of the expectant law. This essentially means that the people in government will sit up to embrace corrupt-free practices, knowing fully well that their deeds could, at any time, be brought under the searchlight beam of public scrutiny. It has been a fact well known that secrecy in governance provides the environment for abuse of power, corruption, embezzlement or misappropriation of public funds, etc., at the different levels of government.

So far, about 115 countries across the world have freedom of information statutes regulating the conduct of public sector business or are in the process of enacting one. Regrettably, no South Pacific country has a freedom of information statute that would curtail the effect of official secrecy laws of the colonial era. The law, when enacted will guarantee more benefits for the citizenry.

The freedom of information law, when passed will empower the citizens, strengthen constitutional rights, and give more powers to the media. The media, thus, could play more effective role in its performance as the watchdog of society. As well, various stakeholders in the Vanuatu body-politic could more fully participate in the running of the affairs of their own country and in safeguarding individual rights. The gains which the statute would bring, such as establishing a basis for peace through collective participation and a sense of belonging, make it clear that the process of enacting the law should not be delayed in Vanuatu.

All the foregoing lead us to safely conclude that the enactment of a Freedom of Information Act will be the beginning of wisdom against corruption and other governmental abuses in Vanuatu.

Thank you.

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