

AN ANALYSIS OF LAWS INCONSISTENT WITH THE RIGHT OF ACCESS TO INFORMATION

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Foreword

I have no doubt that this analysis of the laws that are inconsistent with the Access to Information Act 2005 as set out in this report will benefit Government Institutions, CSO's working on Access to Information, political leaders and administrators as well as members of the public.

The importance of Access to Information cannot be over emphasized. One of the key requirements is ensuring that citizens enjoy this freedom and have access to good legislation that enable them enjoy this freedom.

After strong advocacy campaign by different stakeholders including the Coalition on Freedom of Information (COFI), the Access to information Act was passed in 2005. The Act as it stands to date presents both opportunities as well as challenges to the public to access public information as clearly highlighted in this analysis.

The analysis provided in this report subjects the Act to closer scrutiny, pointing out such gaps and challenges. The analysis looks at the laws that contradict with the ATIA specifically emphasis was put on the Official secrets Act, the Parliamentary (Powers and privileges) Act, and the Evidence Act. The report goes beyond identification of issues of concern, to providing concrete recommendations that different stakeholders need to closely look at for further advocacy in form of amendment, or repeal of certain laws so as to make the Access to information Act achieve its intended purpose.

The report provides invaluable information; I have no doubt to believe that the analysis will further aid consolidation of democracy and promotion of socioeconomic justice, fighting corruption and promoting equitable development in Uganda.

Ndifuna Mohammed Chief Executive Officer Human Rights Network-Uganda

Disclosure of information is the rule and secrecy the exception. Reasons for secrecy must be clearly and narrowly defined by the law. Unless the disclosure of information will seriously compromise national security, privacy, law enforcement or commercial interests, it must be disclosed.

African Union

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I. INTRODUCTORY REMARKS

The right of access to information has emerged as one of the most significant rights in modern times. Critical in harnessing open governments that are accountable, transparent and therefore efficient, the right of access to information is also vital in the enhancement and realization of all other rights-be it Civil Political Rights or Economic Social Cultural Rights. Above all, increased access to information promotes public participation in decision making, which is a strong democratic benchmark.

This notwithstanding, the right of access to information is still far from being fully realized and appreciated in many developing countries. In the case of Uganda, it is noteworthy that the country is among the only four African countries that have an access to information legislation. Additionally, the country's Constitution makes specific provision for the right of access to information under Article 41.¹

Surprisingly, whereas Uganda appears to be more progressive in making this right fully realized, most provisions of the Access to Information Act remain unimplemented. Cabinet which is charged with the role of approving Regulations to facilitate implementation of the Act is yet to execute this mandate. Although not all the provisions of the law are dependent on the regulations, there is in the first place, a false impression that the implementation of the Access to Information Act wholly depends on the Regulations. Secondly, the greater public who stand to benefit from this

¹See Uganda Constitution 1995.

information remains ignorant about the existence of this right, which is largely looked at as more of a media right hence low demand from the public. This is so notwithstanding the fact that most custodians of public information are either adamant to release this information or ignorant of their obligation to provide such information.

The most striking challenge to the right of access to information however remains the archaic and inconsistent laws still prevalent on the statute books. These laws act as a cloak for duty holders to unjustifiably withhold information, further limiting access. It is submitted that unless these laws are harmonized with both the Constitution and the Access to Information Act, full access to information will remain a myth.

The purpose of this study therefore is to explore and critically analyze such inconsistent laws. It is hoped that this will facilitate strategic impact litigation meant to challenge those provisions that set out to limit the right of access to information. With the law in its current shape, litigation appears to be the only viable option. It is important to note that Uganda's access to information implementation campaign was kick-started with litigation and it appears that actors need to resort back to litigation for implementation of the Act to be realized.

II. SYNOPIS OF UGANDA'S ACCESS TO INFORMATION INTERNATIONAL AND DOMESTIC LEGAL REGIMES

A. International and Regional Instruments

Uganda is party to several binding and non binding International and Regional Treaties and Declarations that advance the Right of Access to Information. These include among others the Universal Declaration of Human Rights (UDHR),² International Covenant on Civil Political Rights (ICCPR)³ and the African Charter on Human and People's Rights (ACHPR)⁴ among others.

The Universal Declaration of Human Rights (UDHR), one of the first international acclaims of freedom of all men, prominently enunciates the right of access to information under the right of freedom of expression. Article 19 of the UDHR provides thus;

Everyone has the right to freedom of opinion and expression; this right includes the right to hold opinions without interference and to seek, <u>receive and impart information</u> and ideas through any media and regardless of frontiers. (Emphasis mine)

Whereas the UDHR is not legally binding on nations, it has become part of recognized international customary law from which all other rights spring. Thus the International Covenant on Civil Political Rights (ICCPR) and the African Charter on Human and People's Rights (ACHPR), to which Uganda is party, also guarantee the right of access to information in almost similar terms as the UDHR. 5

²UN General Assembly Resolution 217A (III), adopted 10th December 1948.

³UN Assembly Resolution No. 2200A (XXI) of 16th December 1966, in force 23rd March 1976.

⁴OAU Doc.CAB/LEG/67/3 rev.5, 21 I.L.M. 58 (1982), adopted June 27th, 1981 and entered into force 21st Oct. 1986.

⁵Articles 9 (1) and 19 (2) of the ACHPR and ICCPR respectively

Although not binding, the Johannesburg Principles on National Security, Freedom of Expression and Access to Information provide strong inspiration for countries to guarantee the right of access to information. These principles were adopted by a group of experts in international human rights law and have since been adopted by the UN Commission on Human Rights. Principle 11, which is most relevant to this analysis, states;

Everyone has the right to obtain information from public authorities, including information relating to national security. No restriction on this right may be imposed on the ground of national security unless the government can demonstrate that the restriction is prescribed by law and is necessary in a democratic society to protect a legitimate national security interest.

B. Domestic Legal Framework

As already stated above, Uganda's access to information regime is majorly contained in the Constitution and the Access to Information Act. Article 41 (1) of the Constitution provides thus;

- *i)* Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.⁷
- ii) Parliament shall make laws prescribing the classes of information referred to in clause (1) of this article and the procedure for obtaining access to that information.

⁶ See Article 19, The Johannesburg Principles on National Security, Freedom of Expression and Access to Information, 1st October 1995.

⁷See Article 41 (1) Constitution of the Republic of Uganda 1995.

In fulfillment of this mandate, parliament enacted the Access to Information Act in 2005. In the main, the Act reiterates every citizen's constitutional right to information but significantly emphasizes access to the most up-to-date information.⁸

The Act sets out to promote an efficient, effective, accountable and transparent government and to give effect to Article 41 of the Constitution. Further the Act aims at protecting individuals disclosing information as well as empowering the public to effectively scrutinize and participate in government's decisions that affect them. Besides, the Act sets out the general information access framework. Succinctly, it can be said that the Act jealously guards the sanctity of the right of access to information and sets out to facilitate increased access.

As already observed above, one of the impediments to full disclosure and maximum access to information in the public domain are the archaic and inconsistent laws. Most of them had been enacted essentially to protect colonial governments of the day, but have persistently remained on the national statute books. Successor regimes have and continue to utilize them to keep themselves in power by limiting public participation. Clearly, these laws cannot stand Constitutional Scrutiny in the wake of renewed calls for commitment to good governance, rule of law and Constitutionalism.

For the purpose of this study, emphasis will be put on the Official Secrets Act.⁹ The analysis will however also succinctly review such other laws like the National, Evidence Act¹⁰ and the Penal Code Act.¹¹

⁸See Section 5 of the Act.

⁹Cap 302 Laws of Uganda 2000.

¹⁰Cap 6 Laws of Uganda 2000.

¹¹Cap 120 Laws of Uganda 2000.

III. AN ANALYSIS OF LAWS INCONSISTENT WITH THE RIGHT OF ACCESS TO INFORMATION

A. Official Secrets Act

The Act, which came into force on 30th December 1964, relates to state security.¹² The breadth of the Act concerns itself with the regulation of the interaction between agents of foreign powers¹³ and prohibited government premises as well as official government documents. For the purpose of this analysis however, emphasis shall be placed on access and disclosure of information contained in government documents.

1. Scope of the Act

In terms of substantial provisions, the Act is broadly-worded law and entrenches a culture of secrecy in all matters of public administration. Most of the provisions are broadly framed, effectively obstructing the free flow of information from official sources. The Act is also clogged with severe criminal sanctions for infringement of any of the provisions.

¹² See short title to the Act, it states thus "An Act relating to State Security"

¹³ These are defined as including any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act whether within or without Uganda prejudicial to the safety or interests of Uganda or who has or is reasonably suspected of having either within or without Uganda committed or attempted to commit such an act in the interests of a foreign power; prejudicial to the safety or interests of Uganda or who has or is reasonably suspected of having either within or without Uganda committed or attempted to commit such an act in the interests of a foreign power.

2. An Analysis of Substantial Provisions of the Act

Section 1 (i) of the Act defines an official document to include a passport, any naval, army, air force, police or official pass, permit, certificate, license or other document of a similar character.

The list of documents classified as official documents is unnecessary broad and potentially unlimited. It is unreasonable to classify such documents like licenses which are often used in the public arena as official documents for purposes of limited disclosure under the Act. It is absurd to have such documents like licenses classified especially in the reality of oil discovery. Public participation in natural resources exploration and management is very critical to enhance transparency. This is however difficult where such documents like licenses remain classified documents under the Act.

Secondly, the phrase "other document of a similar character" is undefined and ambiguous and therefore subject to abuse where no specific benchmark is set. There is also no provision as to who determines that any other document apart from those listed is an official document under the Act.

The above notwithstanding, the above section detailing official documents is rendered redundant by section 5 of the Access to Information Act which provides for the right of access to information and records in the possession of the state or any public body. These official documents are part and parcel of the information that section 5 spells out.

3. Offences under the Act

Acts Prejudicial to the State

Under Section 2 (1) (a), any person who for the purposes prejudicial to the safety of Uganda approaches, inspects, passes over or is in the neighborhood of; or enters any prohibited place commits an offence. Prohibited place is defined to include among others any work of defence used, belonging or occupied by the government; any place where munitions or related documents are stored and any place declared by the Minister to be a prohibited place.¹⁴

Section 2 (1) (c) makes it an offence for any person for purposes prejudicial to safety or interests of Uganda, to obtain and collect any official code, word or password or any sketch, plan, model, article or note or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

i. Analysis of Section 2 (1) (a) and (c)

Section 2 (1) (a) is problematic given the broad definition of the word prohibited place under the Act. Given the recent oil discoveries, any person found in possession of a camera on premises of an oil refinery is very likely to be found in breach of this provision.

The requirement of the sought information being prejudicial to the safety or interests of Uganda under this section is vague and imprecise. The only legitimate interest should be national security and not merely unspecified interests of Uganda. The same is true with the requirement that the document sought is intended to be directly or indirectly useful to a foreign power.

 $^{^{\}rm 14} See$ Section 1 (j) (i), (ii) and (iii)

Further, Subsections 2 and 3 of this section unfairly shift the burden of proof to the accused person. Under Subsection 2, the prosecution need not prove that the accused was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of Uganda. Rather, reliance is put on circumstantial evidence and previous character of the accused person. Similarly under Subsection 3, any document, note, article, sketch or plan obtained or collected by a person other than a person acting under a lawful authority, shall be deemed to have been obtained or collected for a purpose prejudicial to the safety or interests of Uganda unless the contrary is proved.

Lastly, the breadth of Section 2 (1) (c) goes beyond information in possession of the state and extends to information in the private realm as well as original literal works. This restriction can therefore be extended to legitimate activities of journalists and the academia as long as the information in question might be useful to a foreign country.

ii. Analysis of Section 2 (2) and (3)

It is submitted that subsections 2 and 3 of Section 2 defeat the provisions of Article 28 of the Constitution that enunciates the presumption of innocence. Secondly under common law to which Uganda subscribes, it is well established that in all criminal matters, the burden of proof lies on the prosecution throughout the trial and can only shift in limited circumstances.¹⁵

¹⁵ See Woolmington v. DPP (1935) AC 462, It was stated that it is the duty of the prosecution to prove the accused's guilt beyond reasonable doubt and failure to do so should result into acquittal of the accused. Per Lord Sankey

Besides, subsections 2 and 3 of section 2 defeat the spirit of International law which, like Article 28 of the Constitution, recognizes the vitality of the fundamental principle of presumption of innocence.¹⁶ The UN Human Rights Committee has observed thus;

The presumption of innocence is fundamental to the protection of human rights ... By reason of the presumption of innocence, the burden of proof of the charge is on the prosecution and the accused has the benefit of the doubt. No guilt can be presumed until the charge has been proved beyond a reasonable doubt.

Wrongful communication of information

The main Section of the Act that limits public access to official records is Section 4 which in effect restrains those in possession of certain pieces of information from disclosing such information.

The Section states thus;

Any person who, having in his or her possession or control, any secret official code word, or password, or any sketch, plan, model, article, note, document or information thathas been entrusted in confidence to him or her by any person holding office under the Government or owing to his or her position as a person who holds or has held office under the government, or has held a contract made on behalf of the government, or a contract the performance of which in the whole or in part is carried out in a prohibited place or as a person who is or has been employed under a person who holds or has held such an office or contact-

¹⁶Article 14 (2) of the International Covenant on Civil and Political Rights (ICCPR) enshrines the presumption of innocence as of right. Besides, the accused's guilt must be proved and still this proof of guilt shall be in accordance with the law. Article 7(b) of the African Charter on Human and People's Rights (ACHPR) also recognizes the presumption of innocence of an accused person.

 a) Communicates the code, word, password, sketch, plan, model, article, note document or information to any person, other than a person to whom he or she is authorized to communicate with, or any person to whom it is in the interests of Uganda his or her duty to communicate it;
Commits an offence under this Act

On the other hand, Section 4 (3) of the Act criminalizes any act of receiving the prohibited information. It states thus;

Any person who receives any secret official code, word, or password, or sketch, plan, model, article, note, document or information, knowing or having reasonable grounds to believe, at the time when he or she receives it, that the code, word, password, sketch, plan, model, article, note, document or information is communicated to him or her in contravention of this Act, commits an offence under this Act, unless he or she proves that the communication to him or her of the code, word, password, sketch, plan, model, article, note, document or information was contrary to his or her desire.

iii. Analysis of Section 4

The above provision widens the scope of liability right from the public officer in whose custody the information is, to the solicitor who may be a citizen. The effect of these criminal sanctions thus is to scare away both the public officer and the citizen from disclosing and seeking information respectively hence limiting the free flow of information. On the face of the Section, it may easily be misconceived that the purpose of the Section is to restrict access to information prejudicial to state security by foreign powers. This is well within the limitations of the right of access under the Constitution. A critical look at the Section however, reveals much more than meets the eye. It is apparent from the section that public officers under a contractual obligation to the government are precluded from disclosing information encountered within their course of duty to citizens. This is because under the section disclosure is limited to authorized persons. Unfortunately, the Act does not define who these persons are. The net effect of this is that the public and citizens are unfairly and indeed unjustly denied clusters of information under the guise that they are not authorized persons. This constitutes an unjustifiable limitation on the right of access to information.

Secondly, it is provided under the Constitution that information prejudicial to state security is expressly excluded. Nonetheless it should be noted that not all information on security is prejudicial to state security. Taking the example of the inquiry into the purchase of junk helicopters by the UPDF, it is clear that certain information on security matters pose even more threat to state security when not disclosed and subjected to scrutiny. Still on this inquiry, it was found that the purchase of junk military equipment was not only economically disastrous to the country but also a strong compromise to security. More examples on this exist in the Ghost Soldiers' Scandal where the army pay roll was inflated to reflect many soldiers when in reality they were just a few of them.

Clearly, public oversight especially on state expenditures even in the security sector is critical in promoting transparency in the administration of public funds and in promoting efficiency in the public sector. This section thus constitutes unjustifiable inroads into the right of citizens to participate in their governance through access to information.

¹⁷Daily Monitor, Wednesday August 4, 2010. The Director of Public prosecutions dropped all the charges against the people involved citing lack of evidence and the matter was quietly settled.

In sum it can be said that the Official Secrets Act is an archaic and opportunistic law used by undemocratic regimes to cloak themselves from transparency and accountability. The law is disguised as a law to enhance and protect state security while illegitimately limiting access to information in government custody. It is contrary to the fundamental democratic standards of open government which forms a strong foundation for all democratic comities.

iv. Recommendations

- 1. The definition of an official document should be revised and made much more precise. Only those documents that pose a serious and demonstrable risk to state security should be classified as official documents.
- 2. Secondly powers to determine whether a document is an official document or not should be vested in courts of law. In the event that such powers are vested in the Minister, provision for judicial review should be made.
- 3. Section 2 of the Act should be repealed and in its place, a precise and concise provision made. Importantly, to commit an offence under the Act, the information sought must be that which threatens state security.
- 4. The burden of proving offences under the Act must squarely rest on the prosecution and should not at any moment shift to the accused.
- 5. Section 4 should be amended in clear and precise language that prohibits disclosure of only that information that poses immediate risk of serious harm to national security or other legitimate interest enunciated under Article 41 of the Constitution which lays out allowable limitations to the right of access to information.

IV. OTHER LAWS INCONSISTENT WITH THE RIGHT OF ACCESS TO INFORMATION

B. Evidence Act

The Evidence Act¹⁸ applies to all judicial proceedings in or before the Supreme Court, Court of Appeal, the High Court and all courts established under the Magistrates Courts Act. In the main, the Act lays down principles underlying proof of matters of law and fact in courts of law. Like any other law, the Evidence Act is a replica of the Indian Evidence Act, which was an attempt to codify English Evidence law for British Colonies.

Although the Act as observed regulates the tendering of pieces of evidence, some of its provisions have far-reaching consequences on the right of access to information. One of such provisions is to be found in Section 122 of the Act. It states;

No one shall be permitted to give any evidence derived from unpublished official records relating to any affairs of State, except with the permission of the officer at the head of the department concerned, who shall give or withhold that permission as he or she thinks fit.

I. Analysis of Section 122

This Section unjustly limits access to public records. In the first instance there is no requirement for the head of department to state reasons for denial of permission to access unpublished records under his/her control. This is very significant to prevent unreasonable denial of information. It is surprising that under

¹⁸Cap 6 Laws of Uganda 2000.

Section 123 of the same Act, access to official communications can be denied where the public interest would suffer from disclosure of such communications.

It is however submitted that while public interest is vital, it should be construed only within the limitations set out in Article 41 of the Constitution that guarantees the right of access to Information. ¹⁹Under this Article, it is only that information that is prejudicial to state security or sovereignty or another person's right to privacy that can be withheld.

Secondly public interest should not at any time limit enjoyment of a right beyond what is acceptable and demonstrably justified in a free and democratic society. This principle is well established under the Constitution and Ugandan jurisprudence.²⁰

The effect of Section 122 (then 121) of the Evidence Act was decried by Oder JSC in *Major General Tinyefuza v. Attorney General.*²¹ In this case the petitioner sought to adduce evidence of radio messages in support of the petition. However Section 121 (Now Section 122) of the Evidence Act required seeking of permission from the head of department before one could use such information. The Learned Justice of the Supreme Court held that such a provision had the undesirable effect of limiting the right of access to information safeguarded under the constitution.²²

¹⁹ Under Article 41 of the Constitution of Uganda 1995, Every Citizen has the Right of Access to information in possession of the State or any organ of the state except where such information is prejudicial to state security or sovereignty or with the right of privacy of another person.

²⁰ See Article 43 of the Constitution. The same principle was reechoed in Charles Onyango Obbo & Anor v. Attorney General

²¹ Const. Petition No.1 of 1997

²² Attorney General v. Major General David Tinyefuza, Const Appeal. No. 1 of 1997, judgment of Oder,JSC, at pp.38-9

Most importantly, both the Constitutional and Supreme Courts stated that the right of access to information includes the right to use such information in courts of law to support a citizen's case. In a nutshell the radio messages were held to be admissible and to be in conformity with Article 28 that provides for a fair hearing.

Despite this ruling, Section 122 remains on the Statute books. It is admitted that the courts are not concerned with making of laws but it is also observed that the three arms of government are complimentary to each other.

Nonetheless the Act also has some progressive provisions that promote increased access to public documents. For instance Section 75 of the Act enjoins every public officer having custody of a public document which any person has a right to inspect, to avail such a copy at any time.

1. Recommendation

Section 122 of the Act should be amended to provide for the head of department to furnish reasons where he/she denies access to a public record under his/her control

C. Parliament (Powers and Privileges) Act

The Parliament (Powers and Privileges) Act^{23} came into effect on 24^{th} February 1955 and seeks to define powers and privileges of parliament, secure freedom of speech in parliament and to protect persons employed in the publication of reports and other papers of parliament.²⁴

²³ Cap 258, Laws of Uganda 2000.

²⁴ See Title to the Act

The major provision as regards accessing information in or before parliament is Section 14 of the Act. Under that Section no member or officer of parliament or person employed to take minutes of evidence of parliament or any parliamentary committee is permitted to disclose contents laid before parliament or any committee of Parliament without leave of Parliament granted by the speaker.

Analysis of Section 14

It is evident that Section 14 of the Parliament (Powers and Privileges) Act unjustifiably restricts access to contents of documents laid before parliament and committees of parliament by subjecting access to such documents to the leave of the speaker. It should be observed that only that information that is prejudicial to state security, sovereignty and individual privacy is restricted. Section 14 on the other hand does not specify grounds for which the speaker may deny access. It is therefore subject to abuse where such powers of the speaker are not tamed.

The above provision was considered in Zachary Olum & Another v. Attorney General.²⁵ In this case the petitioners challenged the Constitutionality of the Referendum Act having been passed without requisite quorum. They sought to adduce a hansard and video recordings of parliamentary proceedings in evidence but the respondents objected on the basis of Section 15 of the National Assembly (Powers and Privileges) Act that provided that such evidence would only be used with leave of the speaker of parliament. The Constitutional Court reiterated its earlier position in the Tinyefuza case to hold that the impugned provision was

²⁵Constitutional Petition No.7 of 1999

inconsistent with the constitution. Okello J.A further stated that 'access to information without use would be empty'. Accordingly, the petitioners were entitled to adduce the hansard and video recordings in evidence.

II. Recommendation

Section 14 of the Parliament (Powers and Privileges) Act should categorically state conditions for which the speaker may deny access to contents of documents laid before parliament and its committees. These conditions should be in tandem with those under Article 41 of the Constitution, namely, information should be denied only where disclosure is prejudicial to state security, sovereignty of the state or another person's right to privacy. Above all, the reasons for non disclosure should conform to those that are acceptable and demonstrably justified in a free and democratic society

D. The Oaths Act Cap 19

I. Analysis of the Act

The Act aims at consolidating the law relating to the taking of oaths in Uganda. S. 2 of the Act provides that persons appointed to an office set out in the second column of the Second Schedule to the Act shall take the oath specified in the first column of the Schedule which shall be administered by the authority specified in the third column of the Schedule. Different oaths are provided by the Act. But of importance to Access to information is the oath of secrecy which is swon by all senior government officers. The second schedule provides that the oath of secrecy shall be sworn by such public officers as may be designated by the President and such other persons holding or executing official functions as the President may by statutory order designate. Generally all chief executive officers in government institutions take this oath and the oath prohibits public officers from the sharing of information which comes into their hands in the course of their business.

It states

I.....swear that I will not directly or indirectly communicate or reveal any matter to any person which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be specifically permitted by the President. (So help me God.)

The provision of the above oath is in conflict with the spirit of the Access to Information Act. It will be difficult for the information officer who has taken an oath of secrecy to give information to the public as part of his legal obligation.

II. Recommendation

There is urgent need to repeal this oath to provide for other forms of swearing for public officers.

V. CONCLUSION

As already observed above, the continued existence of archaic laws on the statute books has hindered the implementation of provisions of the Access to Information Act as well as the right of access to information in Uganda. Despite the fact that most provisions of these laws have been found inconsistent with the Constitution, they continue to exist and parliament is reluctant to enact suitable provisions. Access to information is critical to the fight against corruption and therefore unjustifiable restriction on access of public information carries with itself the danger of encouraging corruption, which is already entrenched in most institutions. If the right of access to information is to be realized, there is need to amend or possibly repeal the Official Secrets Act and other archaic laws. Moreover, Uganda's archaic laws are a replica of Victorian laws, which have since been amended and/or repealed. For instance, section 2 of the 1911 UK Official Secrets Act was repealed by the 1989 Act thereby removing the *public interest defense* ²⁶ Ideally, Uganda should follow suit in order to give full effect to the right of access to information.

²⁶http://www.worldlingo.com/ma/enwiki/en/Official_Secrets_Act

The coalition for the freedom of information working group

Uganda Women's Network (UWONET)

Uganda Women's Network (UWONET) is an advocacy and lobbying coalition of national women's NGOs, institutions and individuals in Uganda. UWONET strives to promote and enhance networking collective visioning and action among the membership and with different actors working towards development and the transformation of unequal gender relations in the Ugandan Society.

Human Rights Network-Uganda (HURINET-U)

HURINET-Uganda is anon profit Non-Governmental Organisation established in 1993 by a group of eight human rights organisations. The identity of HURINET-U lies with its member organisations, which currently comprises of 37 organisations

The vision of HURINET-U is to have a society free of human rights abuse. HURINET-U works with a mission of fostering the promotion, protection and respect of human rights in Uganda through linking and strengthening the capacity of member organisations for collective Advocacy at national, regional and international level.

Anti Corruption Coalition-Uganda (ACCU)

Anti Corruption Coalition Uganda (ACCU) is an umbrella organisation which co-ordinates, supports and builds the capacity for its 51 member organizations. It was established in January 1999 by ten organisations to provide a platform through which the fight against corruption, bad governance and administrative

injustice can be enhanced. ACCU marshals a strong voice and force that effectively engages Government, key stakeholders and the grassroots on issues relating to corruption.

FIDA

The Uganda Association of Women Lawyers (FIDA) is a voluntary, non-governmental. Non-political and non-profit making organisation established to address the status of women in Uganda through the provision of legal aid services.

PANOS-Eastern Africa

Panos Eastern Africa seeks to address the information needs of the poor and marginalized, create media visibility of their concerns and inform policy by: Profiling issues, capacity building, empowerment, building platforms, public debate, and raising voices.

Human Rights Network for Journalists (HRNJ-Uganda)

Human Rights Network for Journalists (HRNJ-Uganda) is a network of journalists who report on human rights issues in the country. It was found late 2006 by journalists who had developed a strong sense of activism and realized their role of promoting human rights through the media. The mission of HRNJ-Uganda is to enhance the promotion, protection and respect of human rights through defending and building capacities of journalists to effectively exercise their constitutional rights and fundamental freedoms for collective campaigning through the media

Uganda Media Development Foundation (UMDF)

UMDF seeks to enhance the capacity of media practitioners to play an active and meaningful role in the realization of democracy, human rights observance, and development in general. The founding of UMDF was informed by the thinking that any society that cherishes democratic ideals needs an independent, pluralistic, free and informed media to act as a platform for democratic discourse among its citizens.

National Union of Disabled Persons of Uganda (NUDIPU)

NUDIPU exists to promote the equalization of opportunities and active participation of PWDs in mainstream development processes. This is pursued through participation in policy planning, capacity building, awareness enhancement and resource mobilization.

Human Rights Network-Uganda

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