

Signatories

South African Civil Society
Organisations:
ActionAid International
Atesis-Corplan
Anti Privatisation Forum (APF)
African Centre for Citizenship and
Democracy
African Network Constitutional Lawyers
AfrForum
Alternative Information and Development
Centre
AIDS Foundation of South Africa
Aksie Gleniqua Foundation
Alliance for Children's Entitlement to
Social Security
Amnesty International (Durban)
Association for Freedom of Thought and
Expression
Association for Progressive
Communication
Biowatch South Africa
BirdLife South Africa
Black Sash
Boggomsbaai Belastingbetalersvereniging
Book Southern Africa
Cape Environmental Trust
Ceasefire Campaign
Centre for Civil Society Environmental
Justice Project (UKZN)
Centre for Constitutional Rights
Centre for Economic Governance and
AIDS in Africa
Centre for Environmental Rights
Centre for Justice and Crime
Prevention, Channel Managed PR
ChrioJIRAH Academy
CIVICUS
Clairwood Social Forum
Coalition Against Nuclear Energy
Cooperative and Policy Alternative Centre
Cullinan Residents Association
Democracy Development Programme
Desmond Tutu Peace Centre
DGR Writing and Research
Diakonia Council of Churches
Durban YMCA
Earthlife Africa (Johannesburg)
Earthlife Africa (Cape Town)
Earthlife Africa (eThekwin)
EcoDoc Africa
ECOPEACE
Economists Allied for Arms Reduction
Engender
Ensure Viable Environment
Environmental Monitoring Group
Equal Education
Far South Peninsula Community Forum
Federation for a Sustainable Environment
(FSE)
Forum for African Investigative Reporters
Free Society Institute
Gay & Lesbian Network
Gayspeak.co.za
Glencairn Action Group
Global Campaign for Education
GM South Africa Foundation
Greater Cape Town Civic Alliance
Greater Lynfræ Civic Association
Greenpeace Africa
GroundWork
Gun Free South Africa
Habitat Council
Health-e News Service
Historical Society of Southern Africa
Hout Baai Farm McGregor
Highlands Herald
Human Rights Watch
Idasa

Imara Consulting
Impumelelo Innovations Award Trust
Indaloyethu Environmental Cooperative
Institute for Accountability in Southern Africa
Institute for Justice and Reconciliation
Institute for Security Studies
Institute for Zero Waste In Africa
International Centre of Nonviolence
Durban University of Technology
International Fund For Animal Welfare
Inyathelo: The South African Institute for Advancement
KhoSan Womens Circle
KZN Inter-religious council
Khulumani Support Group
Lesbian and Gay Equality Project
Litnet
M&G Centre for Investigative Journalism (amaBhungane)
Media Institute of Southern Africa (MISA-SA)
Media Monitoring Africa
Modjaji Books
National Welfare Forum
Open Democracy Advice Centre
Open Society Foundation- South Africa
Other-Wise media
Out of the Box
Overstrand Conservation Fund
Palestine Support Committee (Durban)
Paradise Beach Community Association
Parliamentary Monitoring Group
Pelindaba Working Group
Poetry International- South Africa
Politicsweb
Professional Journalists' Association
Peoples Health Movement (PHM) South Africa
Public Service Accountability Monitor
Quindiem Consulting
Rainbow UCT
Rape Crisis
SA Council for English Education
SA Pen
Sannieshof Ratepayers Association
Save the Vaal Environment
Section27
Sector 5 Umbilo Policing Forum
Sedgefield Community Intelligence Centre
Serengeti Media
Shadow Films
Social Justice Coalition



CIVIL ACTION: Fredalene Booyesen from the Treatment Action Campaign (left), Judith February from the Institute for Democracy in South Africa (middle) and Alison Tilley from the Open Democracy Advice Centre (right) speak at the launch of the civil society statement calling for redrafting of the Protection of Information Bill at St George's Cathedral in Cape Town yesterday.
Picture: BRENTON GEACH

Information bill must be fought tooth and nail

The following is the statement by the Right2Know Campaign, officially launched in the city yesterday.

A RESPONSIVE and accountable democracy that can meet the basic needs of our people is built upon transparency and the free flow of information.

The gains of South Africans' struggle for freedom are threatened by the Protection of Information Bill (the Secrecy Bill) currently before Parliament.

We accept the need to replace apartheid-era secrecy legislation.

However, this bill extends the veil of secrecy in a manner reminiscent of that same apartheid past.

This bill fundamentally undermines the struggle for whistleblower protection and access to information.

It is one of a number of proposed measures which could have the combined effect of fundamentally undermining the right to access information and the freedom of expression enshrined in the constitution.

Journalists face up to 25 years in prison simply for doing their job

Our concerns

The bill will create a society of secrets:

- Any state agency, government department, even a parastatal and your local municipality, can classify public information as secret.

- Anything and everything can potentially be classified as secret at official discretion if it is in the "national interest". Even ordinary information relating to service delivery can become secret.

- Commercial information can be made secret, making it very difficult to hold business and government to account for inefficiency and corruption.

- Anyone involved in the "unauthorised" handling and disclosure of

classified information can be prosecuted; not just the state official who leaks information as is the case in other democracies.

- The disclosure even of some information which is not formally classified can land citizens in jail. This will lead to self-censorship and have a chilling effect on free speech.

- Whistleblowers and journalists could face more time in prison than officials who deliberately conceal public information that should be disclosed.

- A complete veil is drawn over the workings of the intelligence services. It will prevent public scrutiny of our spies should they abuse their power or breach human rights.

Who will guard the guardians?

- Officials do not need to provide reasons for making information secret.

- There is no independent oversight mechanism to prevent information in the public interest from being made secret.

- The Minister of State Security, whose business is secrecy, becomes the arbiter of what information across all of government must remain secret or may be disclosed to the public.

- Even the leaking of secret information in the public interest is criminalised.

- Unusually severe penalties of up to 25 years in prison will silence whistleblowers, civil society and journalists doing their job.

- All these factors will limit public scrutiny of business and government, whether through Parliament or journalists. Accountability will be curtailed and service delivery to the people will be undermined.

Our demands:

The constitution demands accountable, open and responsive government, realised among other things through freedom of expression and access to information.

Our elected representatives are bound by these constitutional values and any legislation they pass must comply

We demand that the Protection of Information Bill – the Secrecy Bill – must reflect the following:

- Limit secrecy to core state bodies in the security sector such as the police, defence and intelligence agencies.

- Limit secrecy to strictly defined national security matters and no more. Officials must also give reasons for making information secret.

- Exclude commercial information from this bill.

- Do not exempt the intelligence agencies from public scrutiny.

- Do not apply penalties for unauthorised disclosure to society at large, only those responsible for keeping secrets.

- An independent body appointed by Parliament, and not the Minister of Intelligence, should be the arbiter of decisions about what may be made secret.

- Do not criminalise the legitimate disclosure of secrets in the public interest.

Sign on educate activate:
www.r2k.org.za

Signatories

Social Movements Indaba
Socio-Economic Rights Institute of South Africa
South African Education and Environment Project
South African History Archives (Freedom of Information Programme)
South African Labour Bulletin
South African Litigation Centre
South African National Editors' Forum (Sanel)
South Durban Community Environmental Alliance
Southern African Faith Communities Environment Institute
Southern African Historical Society
Southern African Media and Gender Institute
St Francis Bay Residents Association
St Martin's Anglican Church
Students for Law and Social Justice
SynergyWORKS
The AIDS Consortium
Timbila Poetry Project
The Book Lounge
The Centre for Applied Legal Studies
The South African Gay & Lesbian Alliance Against Defamation (SA GLAAD)
The Umbilo Action Group
The World AIDS Campaign
Third World Investment Gateway Trust
Treatment Action Campaign
UCT Press
Uitkamp Action Group
Umbilo Park Conservancy
Umphilo waManzi
Unemployed People's Movement
Walmer Estate Civic Association
Wildlife & Environment Society of SA - Lowveld Region
Wildlife and Environmental Society of South Africa
Women's Legal Centre Trust
Zwartkops Trust

