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## Malawi's Right to Information Bill Would Rank 15<sup>th</sup> Globally

In November 2015, two years after the country committed to pass a right to information law, Malawi's Ministry of Justice finally unveiled a draft Access to Information Bill. An Analysis of the Bill released today by the Centre for Law and Democracy (CLD) shows that, if passed, the Bill would be one of the stronger laws in the world, ranking in 15<sup>th</sup> position on the RTI Rating. The Analysis also reveals that there are important areas where the Bill should be improved before it is passed. Troublingly, since the law was published Malawi's President, Peter Mutharika, has called for it be significantly weakened, demanding that it apply only to information generated after it is adopted.

*"Restricting the right to information to future documents would dramatically undermine the impact of the law,"* said CLD's Senior Legal Officer, Michael Karanicolas. *"Rather than weakening the Bill, the priority for the government should now be on getting it passed into law."*

The Bill has a number of positive features, including a relatively broad scope, strong promotional measures and a good public interest override. Some of CLD's key recommendations include:

- Sanctions for misuse of information that has been disclosed should be removed.
- The Bill should overrule Malawi's Official Secrets Act to the extent of any conflict.
- Exceptions for personal privacy and Cabinet records should be significantly narrowed in scope.
- Malawi should commit to dedicating additional resources for the oversight body.
- The law should make it clear that it applies to the office of the President.

CLD's full Analysis of the draft Bill is available at: [www.law-democracy.org/live/malawis-right-to-information-bill-would-rank-15th-globally/](http://www.law-democracy.org/live/malawis-right-to-information-bill-would-rank-15th-globally/).

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