



**Toward a Media Regulatory Reform in the Middle East and North Africa:
Workshop on the Right to Information**

Workshop Statement

We, expert participants from Algeria, Egypt, Jordan, Lebanon, Morocco, Tunisia and Yemen, invited by Social Media Exchange, the Centre for Law and Democracy and International Media Support to the Workshop on Toward Media Regulatory Reform in the Middle East and North Africa: Workshop on the Right to Information, having met in Beirut, Lebanon, from 8-9 June 2017:

Recalling the previous thematic meetings that were held as part of this process, focusing on criminal content restrictions (Beirut, April 2014), regulation of broadcasting (Tunis, June 2014) and regulation of journalists (Tunis, March 2015);

Stressing that the right to access information held by public bodies (right to information or RTI) is recognised globally and in many national constitutions as a fundamental human right which is for the benefit of all citizens, not just certain groups such as journalists;

Noting that only five States in the region have so far adopted RTI laws, while a total of 116 countries globally, from every region of the world, representing over 80 percent of the world's population, have adopted such laws;

Concerned that, for the most part, even in those States which have adopted RTI laws much more needs to be done to ensure proper implementation of the rules;

Highlighting the many benefits of the right to information, including to improve relations between public bodies and citizens, to promote more inclusive, sustainable development and to counter poverty and unemployment, to enable more participatory democracy, to foster accountability, to combat corruption, and to support economic development, media freedom and social justice;

Adopt the following Statement on Media Regulatory Reform in the Middle East and North Africa: the Right to Information:

1. States in the region should, as necessary and in consultation with civil society and other relevant stakeholders, ensure that right to information legislation is in place which respects international standards.
2. The right to information legislation should, among other things, reflect the following principles:

- a. The law should create a specific presumption in favour of access to all information held by public bodies subject only to limited exceptions in line with paragraph (e).
 - b. The law should apply to all public bodies as well as private bodies which receive substantial public funding or undertake public functions.
 - c. The law should place an obligation on these bodies to disclose on a proactive basis a wide range of information of public interest.
 - d. The law should establish clear and simple procedures for making and processing requests for information.
 - e. Exceptions to the right of access should be limited to protecting a clear set of legitimate interests in line with international standards, apply only where disclosure of the information would pose a risk of harm to the protected interest which is greater than the broader public interest in disclosure, and be subject to overall time limits.
 - f. The law should establish a robust independent oversight system, led by a specialised body which has adequate powers to investigate and remedy breaches of the right to information.
 - g. The law should include sanctions for officials who wilfully obstruct access and protections for those who, in good faith, release information pursuant to the law.
 - h. The law should include robust promotional measures, including appointing information officers, combating the culture of secrecy, setting and applying records management standards and guiding implementation under a central coordinating body.
3. Once laws have been adopted, States in the region should work to implement those laws properly, in line with both the letter of the law and the broader spirit of the right to information as a human right. This should include, among other things, putting in place the necessary practical systems for providing information, giving adequate training to officials, and providing adequate financial resources for the oversight body.
 4. States in the region should review and, as needed, repeal or amend secrecy or national security legislation that is inconsistent with their RTI laws or with broader international right to information standards.
 5. The civil society organisations represented at this workshop commit to working together, and reaching out to engage a broader range of civil society organisations and other interested stakeholders, to promote the right to information, including by monitoring and supporting implementation of the right by public bodies and by raising awareness about its importance. We note that the right to information is an issue which unites a broad range of advocates, due to the potential benefits that it offers to everyone.
 6. As part of the above, we specifically commit to creating a regional network of civil society and other advocates for the right to information to share ideas and experiences and to promote intra-regional cooperation.

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