



The National Network for the Right of Access to Information Celebrates the
International Right to Know Day

Press Release

Beirut, September 30, 2009: The National Network for the Right of Access to Information organized a press conference at the Monroe Hotel in Beirut to celebrate the International Right to Know Day. Remarks about the Right of Access to Information were delivered by the Minister of State for Administrative Reform (OMSAR) **H.E. Mr. Ibrahim Shamseddine**, the Minister of Interior and Municipalities (MoIM) **H.E. Mr. Ziyad Baroud**, parliamentarians **Mr. Ghassan Moukheiber**, **Mr. Walid Khoury**, and **Dr. Ismail Sukkariyah**, **Mr. Fadi Saab**, Secretary General of the Lebanese Transparency Association (LTA), and **Ms. Marilyn Zelin**, Acting Program Director at the American Bar Association-Rule of Law Initiative (ABA-ROLI). The press conference was also attended by representatives from the government, syndicates, civil society, media, public and private sectors, and diplomatic missions.

The Network was established on April 11, 2008, upon the initiative of the Lebanese Parliamentarians Against Corruption (LebPAC), LTA, and *Association pour la Défense des Droits et des Libertés* (ADDL), in collaboration with ABA-ROLI.

MP Ghassan Moukheiber, who spoke on behalf of LebPAC and the Legal Working Group of the Network, emphasized the importance of the right to access information in promoting the democratization process and fight against corruption, given the central role of knowledge and transparency for democracies. Moukheiber stated that "this day is also an occasion to remind us of the importance of achieving the necessary legislative work to pursue institution-building of a democratic State, and particularly to confirm on the need for parliamentary dialogue for adoption of the proposed draft law for the Right to Access Information, which was signed and officially submitted to Parliament on April 9, 2009 by members of LebPAC". According to Moukheiber, the International Right to Know Day is also an opportunity to shed light on the pioneer experience in terms of collaboration and partnership between public factions and civil society organizations towards legislative and political reform. Moukheiber also emphasized the importance of spreading knowledge regarding citizens' right to access information through the media. "This is the responsibility of our colleagues at Parliament who will pursue the debates and adopt the draft laws developed by the Legal Working Group and the Network". Finally, Moukheiber noted that this day is "an occasion to thank all those who have contributed to the success of the Network's activities, considering that the International Right to Know Day represents a step to assert and activate essential human rights, and this contributes to promoting citizens' confidence in state institutions and helps preventing and fighting corruption".

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Mr. Fadi Saab, LTA's Secretary General, discussed the role of the Network, which includes several Lebanese Non-Governmental Organizations (NGOs), in building capacity on the right of access to information guaranteed by the Lebanese Constitution and the Universal Declaration of Human Rights. Saab noted that the Network is also responsible for organizing awareness sessions and workshops on the importance of this right, its use and benefits, and briefly described their activities. *Naharshabab* and *Maharat* organized several workshops and trainings for media and journalists to increase their awareness on the importance of the right to access information and whistleblowers' protection. *Naharshabab's* team is documenting the information and participants' opinions gathered during these workshops. In parallel, in October LTA and the Ministry of Finance (MoF) will organize workshops for public servants at the MoF as well as other ministries to train them on the subject at stake. As for the private sector, LTA has also organized a workshop on Access to Information as a tool for transparency, and will hold another awareness workshop in October. Saab highlighted the need to adopt the Access to Information and Whistleblowers' Protection draft laws, as well as raise awareness among all segments of society and urge all stakeholders to use their right of access to information. Last but not least, Saab stressed the "importance of this project that brings together all stakeholders of the Lebanese civil society, to elaborate a comprehensive reform plan embracing citizens and the administration."

Ms. Marilyn Zelin, Acting Program Director of the ABA-ROLI, focused on the importance of the International Right to Know Day, noting that Access to Information laws have been adopted in at least 90 countries, including Jordan, the first country in the Middle East to adopt such a law in 2007. She mentioned that "on April 14, 2009, the European Court of Human Rights confirmed that the right to receive information from government bodies is part of the fundamental right of freedom of expression and information and is necessary for the media, NGOs and others to play a watchdog role in holding governments accountable". "This coincided with the public release of the draft bill on Access to Information in Lebanon", she added. Zelin pointed out that the law is only a first step and that establishing an efficient implementation regime is necessary for full implementation of the law. Finally, Zelin expressed ABA – ROLI's pleasure to continuously cooperate with the Network and to support this national reform initiative.

His Excellency Minister **Ibrahim Shamseddine** stated that the Right to Know Day deserves celebration and attention, even more than the opening of the Francophone Games that took place in Beirut two days ago. According to Shamseddine, this project does not require a functioning government to proceed, as citizens' right to access State's activities and information eroded in front of the obstacles placed by the authorities. Shamseddine stressed that "covered issues are those we are ashamed of". In fact, public agreements at the international level have shown the finest results, whereas those that have been underground have led to disillusion and damage for the people. Shamseddine concluded by stressing that the Lebanese need to celebrate the Right to Know Day every day and reiterated that "the draft law should pass fully and completely as soon as the parliamentary committees are formed".

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Minister **Ziyad Baroud** gave the last remarks and stressed the need to continue the legislative work even in the outgoing cabinet as "matters of the people cannot wait". Baroud provided a historical description of the Right to Know. He stated that the draft law is comprehensive and includes mechanisms of implementation. He noted that some existing laws contradict the Access to Information draft law. Therefore, it is necessary to review legislation that still prevents the publication of some information, as for instance the publishing law which prevents the publication of the minutes of the Council of Ministers. Minister Baroud divided the types of information into four categories:

1. Information totally prohibited from being published, related to the state security and defense;
2. Information that can be obtained based on capacity or interest;
3. Information pertaining to individuals; and
4. Information that the law requires to publish.

Baroud ended his speech by emphasizing the importance of the adoption of the law so that it does not become an additional law in the drawers, as was the case with the Ombudsman law that should be applied in conjunction with the Access to Information law.

The press conference ended with a discussion between the speakers and the participants.

The Network took advantage of this day to highlight the importance of the right of access to information as a first and primary step to implement a National Anti-Corruption Strategy. This right is enshrined in the Lebanese Constitution, the Declaration of Human Rights, and other international Conventions that Lebanon has ratified. In fact, on October 16, 2008, Lebanon ratified the United Nations Convention Against Corruption, which outlines a strategy to fight corruption, and which is considered as a reference tool for a political, economic and social reform plan. This convention addresses all aspects of an anti-corruption strategy, including guarantees for the right of Access to Information as stipulated in Article 10 and Whistleblowers' Protection in Article 33, as well as the establishment of an independent Anti-Corruption Commission (as per Articles 5 and 6).

Therefore, participants agreed on the need for cooperation at all levels to support rule of law institutions and good governance. In this context, the Lebanese Parliament should proceed to legislate, amend and pass laws that contribute to the application of this Convention and amend those that might hinder its application.