



OUR STORY

It started in Namibia's capital Windhoek, eight years ago in 2009, with a meeting of like-minded organisations. Advocates passionate about media freedom and democratic development in Africa, came together to plan the celebration of the 20th anniversary of the Windhoek Declaration. It continued with the successful implementation of an African conference which would kick off a powerful on-going African campaign.

GOING BACK IN TIME

The Birth of an African Movement

The journey to this point in time was long, difficult and tested each organisation's capacity and drive. But to unwind this complex tale, we have to start at the beginning.

Again, it began Windhoek.

The Windhoek Declaration

In 1991, African journalists from all over the continent came together in Windhoek, to participate in a seminar convened by UNESCO. On their last day together, 3 May 1991, the seminar adopted the Declaration of Windhoek on Promoting an Independent and Pluralistic African Press, known as the Windhoek Declaration. The Declaration called for free, independent and pluralistic media worldwide, as well as giving a boost to media development and freedom of expression in Africa and beyond.

World Press Freedom Day (WPDF) is celebrated globally every year on the 3rd of May in honour of these historic deliberations.

Windhoek, Ten Years Later

A decade later in 2001, at the invitation of UNESCO and the Media Institute of Southern Africa (MISA), a new generation of freedom of expression advocates and media professionals met, deliberated and adopted a document with special focus on radio and television -the African Charter on Broadcasting.

A MOVEMENT CONTINUES

Fast forward to 2009

When the initial group of advocates came together in 2009, it became clear that the focus of a conference celebrating 20 years of the Windhoek Declaration had to be the issue of access to information (ATI). Although we also discussed the scope, impact and relevance of Internet rights and freedoms or the lack thereof, we decided that 2011 was the time for ATI to be brought into the spotlight in Africa.

The Idea

The idea was simple, and remains simple: every person in Africa should have, and be able to enjoy the right of access to information.

Africa has a population of over a billion people. In 2009, only 4 African countries had an access to information law, meaning only a very small fraction of people in Africa could potentially benefit from such a law. The mere existence of a law guaranteeing public access to information does not in itself ensure the full enjoyment of the benefits of such a right. Here, the effective implementation of the law is key, as much as it is challenging.

With its founding members and an expansion of the Group in early 2011, the final Windhoek +20 Working Group was made up of 9 organisations:

- Africa Freedom of Information Centre (AFIC)
- Article 19 (East and West Africa)
- Federation of African Journalists (FAJ)
- Highway Africa
- Media Foundation for West Africa (MFWA)
- Media Institute of Southern Africa (MISA)
- Media Rights Agenda (MRA)
- Open Democracy Advice Centre (ODAC)
- The African Editors' Forum (TAEF)

We wanted to create a movement for the advancement of information access in Africa. We also knew that ATI was often seen as an issue merely concerning media professionals. In order to build a strong movement, nurture and direct it to a successful outcome, it was necessary to look at access to information in all its nuances and convey a significant message to a broad audience: that access to information affects each

person's entire sphere of life while having the power to better lives, improve participation, good governance, help a country's economy and advance social and economic equality.

It is because of this omnipresent importance that access to information is now, rightly so, recognised as a human right and an enabling right, impacting on the enjoyment of other fundamental rights.

The Coalition

We all believed ATI could transform Africa. Having a common goal we were all passionate about was a powerful driving force which kept us focused and helped to carry us through during challenging times.

With this basic idea in mind we formed the Windhoek +20 Coalition to achieve this goal.

We formed a unique coalition of experts, many of whom worked in management positions of organisations and had substantial experience in the promotion of open and transparent democracy, access to information, media freedom, freedom of expression and civic participation on the continent, at national, regional and continental levels.

PACAI Partners:

- African Media Initiative
- African Union Commission
- Declaration of Table Mountain Campaign of the World Association of Newspapers (WAN-IFRA)
- FES/fesmedia Africa
- Freedom House
- Free Press Unlimited
- Google
- National Media Group
- Nepad
- Open Society Foundation
- Open Society Initiative of South Africa
- Reporters Without Borders (Swedish chapter)
- Special Rapporteur on Freedom of Expression and Access to Information in Africa
- UNESCO
- UN Special Rapport on Freedom of Expression

We had a strong spirit of collaboration right from the beginning. In fact, we were no strangers to each other, having worked together on other projects before, met at meetings, workshops and conferences all over the world, and had exchanged ideas, experiences and knowledge on various occasions.

We now combined our forces and unique sets of expertise, capacities, networks and resources for the achievement of a common goal we all strongly believed in.

Our early mandate was "to serve as a platform of action for the joint implementation of a series of activities that will lead to the adoption of a comprehensive and authoritative instrument

which will advance the right of access to information in all its dimensions, regionally and internationally."

The Conference

As a first step, we convened a continental conference on access to information on the 20th anniversary of the Windhoek Declaration in order to raise awareness on the issue, bring together regional and international experts and create momentum.

To uphold tradition, we hoped the conference could be held in Windhoek on World Press Freedom Day together with UNESCO. This endeavour however, did not materialise because UNESCO had already made the decision to hold the 2011 WPFDF celebration in Washington D.C.

UNESCO, however, agreed to fully support an access to information conference later in the year. We therefore decided on a Pan-African Conference on Access to Information (PACAI) to take place in September.

PACAI Sponsors:

- Media24
- Knight Foundation
- Swedish Development Aid
- South African Tourism
- City of Cape Town

This time, the Conference was held in Cape Town, South Africa; alongside the annual Highway Africa conference taking place at the same time.

We managed to attract partnership support from 15 other crucial organisations and institutions outside of the core Working Group and received support and sponsorship commitments from five more organisations.

The WG's relationship with the Special Rapporteur on Freedom of Expression and Access to Information in Africa (the Special Rapporteur), Advocate Pansy Tlakula, began during this time.

We knew we needed a champion of the Campaign and we found that champion in the Special Rapporteur. We would continue fruitful collaboration throughout the years to come, years filled with valuable guidance and counsel as well as substantial achievements.

The highlight of the PACAI was its final session on 19 September 2011, linking PACAI with the other events taking place in Cape Town simultaneously. This historic moment marked the first time that the complete value chain of African media and information stakeholders came together.

The high profile session ended on a very positive note with the adoption of the African Platform on Access to Information (APAI) Declaration, an influential document of key principles and strategies.

The APAI Declaration has been endorsed by over 260 organisations, institutions and individuals, as well as representatives of regional and international organisations, national governments, civil society, trade unions and professional bodies, including:

- The African Commission on Human and Peoples' Rights by its Resolution 222, adopted in May 2012;
- The Pan African Parliament, through the Midrand Declaration on Press Freedom in Africa, adopted in May 2013;
- Ms. Habiba Mejri-Cheikh, Director of Information and Communication at the African Union Commission (AUC);
- The Government of Nigeria, represented by then Minister of Information, Mr. Labaran Maku;
- The Government of South Africa, represented by then Deputy Minister of Communications, Hon. Obed Bapela;
- Mr. Frank LaRue, then UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; and
- Mr. Janis Karklins, then Assistant Director-General of UNESCO.

A Powerful African Declaration

After the successful PACAI, we now had a powerful tool in our hands: a landmark African Declaration on Access to Information with guiding principles - key for the full implementation of the right to access to information.

Significantly, the motion for adoption of the declaration was moved by Advocate Pansy Tlakula, Special Rapporteur on Freedom of Expression and Access to Information in Africa and seconded by Honourable Norris Tweah, Deputy Minister of Information, Culture and Tourism for the Republic of Liberia.

We had a declaration that looks at access to information in its entirety, as a right that furthers development in various spheres, and is relevant to numerous sectors and society at large. In this spirit, the APAI Declaration concerns itself with, among other pertinent issues: access to information and elections, access to information and health, access to information and children, access to information and persons living with disabilities.

For the first time in Africa, we had a single document that elaborated the right of access to information in Africa. A document that sets standards, guides law makers in the establishment of an effective law and provides detailed guidance on what African organisations, governments, institutions and people should organise themselves around.

A declaration that had a broad sense of ownership

When we initiated the drafting process of the Declaration we reached out to various regional and international stakeholders, including organisations, institutions, networks and experts who made significant inputs which shaped the Declaration.

We followed this up with an intense period of public consultation via the online publication of the draft Declaration. The latest draft was open for comment during the PACAI Conference. The final version was agreed upon by stakeholders at the Conference itself.

The African Platform on Access to Information

Following the PACAI Conference and the adoption of the APAI Declaration the Windhoek + 20 Coalition became the APAI Working Group.

Still holding our main goal in mind - to help enable every person in Africa to fully enjoy the right of access to information. As this strong movement gained momentum we now had an instrument at hand which we started to put into action by applying the values of the Declaration's calls to action and promoting the key principles set out in the Declaration on the national, regional and international level.

With this we hoped to strengthen the framework for access to information on the continent, which requires African governments to establish access to information legislation and provides guidance to stakeholders during the drafting and implementation phase of such legislation.

We continued to regularly hold APAI Working Group meetings to plan, identify priorities, and decide where our energies should be directed based on the strategies set out in the APAI Declaration.

At this stage, we were able to continue our efforts with the support and in partnership with Fesmedia Africa, the media programme of the Friedrich-Ebert Stiftung, and the Open Society Initiative for Southern Africa.

Campaign Priorities

On the institutional level, we focused our energies on two main objectives:

- 1) The expansion of Article IV of the Declaration of Principles on Freedom of Expression in Africa (the Declaration of Principles), adopted by the African Commission on Human and Peoples' Rights (ACHPR or the African Commission) in 2002, to incorporate the key principles of the APAI Declaration for more open and inclusive access to information, and
- 2) The universal recognition of a Right to Information Day (the Day), a day to raise awareness about the importance of access to information around the world; and a day on which the global community comes together to join forces in their advocacy initiatives

Regional Advocacy

On the regional level, we engaged in activities to secure the following outcomes as part of the Campaign to ensure the full enjoyment of access to information by all people in Africa.

- 1) Recognition of the Day by the African Union, and
- 2) The expansion of Article IV of the Declaration of Principles led by the Special Rapporteur of Freedom of Expression and Access to Information in Africa.

ACHPR Resolution 222

As part of our advocacy activities we conducted missions to the headquarters of the African Commission in Banjul, the Gambia.

One of those trips to Banjul took place between 18 April and 2 May, the date of the 50th Ordinary Session of the African Commission, where we addressed the African Commission.

A major milestone was achieved with the adoption of Resolution 222 by the African Commission on 2 May 2012, as a result of our advocacy efforts prior to and during this Session.

Resolution 222 of the African Commission:

- 1) Recommended that the African Union recognises 28 September as International Right to Information Day in Africa, and
- 2) Authorised the Special Rapporteur to expand Article IV of the Declaration of Principles.

With this milestone achieved, it gave us increased impetus to further pursue our goals.

The Day

We travelled to Addis Ababa, Ethiopia, where the Headquarters of the African Union Commission is located. We sought guidance and advice on procedures and strategies to follow for the recognition of the Day by the African Union. This enabled us to identify possible paths that can lead to a decision by the African Union Heads of State Summit to proclaim 28 September as an international day in Africa.

Our trips were very successful in putting the issue on the agenda, keeping APAI visible, clarifying policy processes and mobilising support from the African Union Commission.

Between 2013 and 2015, we largely directed our energies towards the recognition of 28 September at UN level. As we have achieved this goal, 2017 will see strengthened engagement with the African Union Commission and African Union Heads of States to additionally secure regional recognition of the Day.

Expansion of Article IV

The APAI Working Group travelled to Banjul, The Gambia on various occasions to attend the African Commission's Sessions and side meetings, and engage with Commissioners on the issue of the expansion. We also participated in consultative expert and stakeholders meetings at the invitation of the Special Rapporteur who spearheaded the process.

As a result of discussions taking place at those meetings, draft texts broadening Article IV of the Declaration of Principles were produced and reviewed.

Seeing the need to take the process a step further, the **African Commission adopted Resolution 350 at its 20th Extraordinary Session, on 18 June 2016.**

In the Resolution, the Commission decides to revise the entire Declaration of Principles, taking into account regional developments in the sphere of freedom of expression and access to information since the adoption of the Declaration of Principles in 2002.

In 2017, we seek to follow the Commission's call to for stakeholders to collaborate with the Special Rapporteur by contributing to the process of revising the Declaration.

More Significant Regional Milestones

In terms of strengthening the framework for access to information on the continent, we achieved another objective with the adoption of the Model Law on Access to Information in Africa by the African Union on 25 February 2013. An instrument developed by the African Commission through the Special Rapporteur.

In May 2013, the Pan African Parliament adopted the 'Midrand Declaration on Press Freedom in Africa', which recognised the APAI Declaration, and called on AU Member States to review and adopt access to information laws in accordance with the ACHPR Model Law on Access to Information.

Notably, the number of countries with access to information laws has increased from five in 2011, the year of the adoption of the APAI Declaration, to 22 by the end of 2016.

International Advocacy

Internationally, we focused on the recognition of 28 September as International Right to Information Day by the United Nations (UN) through the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

For that purpose, between 2013 and 2015, we conducted 6 missions to the UNESCO Headquarters in Paris, France to engage the UNESCO Secretariat, UNESCO delegations and address the plenary of the UNESCO Africa Group. These efforts were accompanied by letter campaigns and outreach to government and UNESCO representatives in different fora.

We returned from each mission with numerous lessons learnt, and the insights and advice we received helped us to strategise and prioritise our future engagements.

Our attention was turned on the Africa Group within UNESCO since we were representing an African Initiative. From our first deliberations on it became obvious that we had the same goals and vision – we all believed in the power of information to bring about development and participatory democracy on the continent.

The day, 28 September, originally called *Right to Know* day, has been celebrated since 2002 as result of a conference of freedom of information experts held from 26 to 28 September 2002 in Sofia, Bulgaria. The conference established a coalition of international advocates, known as the International Freedom of Information Advocates Network (FOIANet).

Additionally, we were all determined to push back the notion that Africa is a continent that is always in need of assistance but contributes little to world. The endorsement of the APAI Declaration by UNESCO, two decades after the similar endorsement of the Windhoek Declaration, both truly African documents, would help to firmly establish a pattern of African contribution to the world.

This common belief was the driving force of the initiative, resulting in UNESCO adopting a Resolution (38C/70) sponsored by Angola, Nigeria and Morocco, declaring 28 September of every year as International Day for Universal Access to Information (IDUAI), on 17 November 2015.

In order to increase the global recognition and impact of the Day even further, in 2017, we will focus our intention towards the proclamation of the Day by the UN General Assembly, based on the recommendation made in Resolution 38 C/70.

International Day for Universal Access to Information (IDUAI)

With the official declaration of 28 September as IDUAI, a day has been set aside for a global debate on access to information, spreading the message about the importance of the right to information, allowing for collaborative efforts in advancing access to information and providing room for reflection on progress made in this area.

To build up to the first celebration of IDUAI in 2016, we came back to Windhoek in September of that year and organised a conference bringing together representatives from government, civil society, the media, diplomats, students, UNECSCO and the ACHPR. The aim was to highlight the relevance of the Day and reflect on the road travelled so far on the road to getting a globally recognised day.

Ad-hoc Advocacy

As a group, we also attempt to react to recent developments undermining or advancing openness and access to information on national, regional and international level. APAI issues statements commending or raising concerns on current access to information processes.

For example, in June 2016, the APAI Working Group initiated a civil society-led letter campaign as response to the downgrading of the World Bank's capacity to pursue a global right to information agenda.

APAI, together with other organisations working on access to information issues, closed the letter to the President of the World Bank by stating that "the fight against poverty is about

people. This fight cannot be won without people being able to access information."

After receiving a reply from Bank officials, we responded with a follow-up letter requesting further clarification on some issues and a consultative meeting.

The APAI Working Group was later represented at a public meeting of the World Bank with civil society organisation, in October 2016, during which we posed questions the World Bank's President regarding those issues.

Later in October, a World Bank official, as a response to our second letter, agreed to a meeting with civil society early in 2017 to further discuss the Bank's access to information commitments.

The Future – Domestication of the APAI Declaration

As individual organisations, we are strongly involved in the domestication of the APAI Declaration. Each organisation works to promote the Declaration's principles at the national level, for instance during drafting, review and implementation of ATI legislation.

APAI Working Group member organisations advocate for the advancement of freedom of information, government transparency and openness as part of their national activities. As we strongly believe in the importance of those standards for the future of Africa and its people.

We envision and increasingly integrated effort towards enhancing each APAI member's on-going national initiatives. We know that as the APAI Working Group, our strength lies in our combined expertise, experiences, networks and resources to collectively support and grow the access to information agenda on the continent.

We want to further use our key strength as a coalition to provide support and technical expertise to national initiatives led by our partners.

Last but not least, during national initiatives, we will put increased emphasis on raising awareness among the general public, explaining what access to information means to a person in terms of education, health, elections, socio-economic equality, and how it affects issues of corruption, good governance and a country's overall development.

In short, we aim to make access to information understandable to a broad audience and equip them with the knowledge to demand their fundamental human right of access to information.