RTI BILL-OPEN LETTER TO MR. JOE OSEI OWUSU, FIRST DEPUTY SPEAKER AND HON. MEMBER OF PARLIAMENT FOR BEKWAI

I trust this finds you very well. I have decided to use this medium to communicate with you because I read something attributed to you which I find very disturbing.

Before I get to what I read, I don’t think we as a Coalition thanked you enough for the role you played in supporting the advocacy for the passage of the RTI Bill when you were in opposition. I want to especially mention the Technical Meeting for Selected MPs organized by the Coalition on the Right to Information that you chaired on February 29 2016 when you committed yourself and other MPs present to be Champions of the RTI Bill in Parliament, and I must say you did so admirably. On May 3 2016 in an interview on Joy News you questioned why the then government had failed in prioritizing the passage of the RTI Bill. You indicated that you do not understand why the bill was yet to be passed after work on the amendment was completed three years previously. You added that government can see the passage through if it is committed to doing so before the end of the year (2016). You actually urged Ghanaians to insist on the passage of the bill because they have a right to information. On behalf of the Coalition on the Right to Information Ghana, I say thank you.

Another time I gave you Kudos was on September 28 2016 when you described the then President, His Excellency John Mahama’s claim of being frustrated about the delay in the passage of the bill as “hypocritical” during an interview on Citi News. To quote you as reported “…when the President says he is frustrated, I know the President also knows that anytime the Executive considers something a priority, it gets done so if it were their priority, it would have been done. This public expression of frustration for me is rather hypocritical”

This is why when your party won power in 2016 I felt that the hassle and struggles of yesteryears to get the bill passed were over. After all we have champions in the house, in fact one who is currently a First Deputy Speaker, who has been in the tranches with the Coalition when it came to working on the Bill to make it more robust, and knows the benefits of an RTI law to citizens in general and Ghanaians in particular.

Fast forward January 31 2018, Hon. Member of Parliament I hear you were commenting on the RTI Bill during an interview you had on Morning Express, a programme on Radio XYZ and said “It’s not different from any other bill, As we speak now it’s not before the House yet…As far as I’m concerned, it is like any other bill. For me if you ask me, the more critical bills that are still pending are the Property Rights of Spouses and the Interstate Succession Bills. These are things that affect the everyday People.” My question Hon. Deputy Speaker is what has changed? The RTI Bill is no longer a priority as far as you are concerned? And why so, if I may ask? Are we now to take it that the Bill, if laid in Parliament today will play out just like it did during the NDC era? Oh and by the way, the RTI Bill when passed will actually enhance the enjoyment of the two very critical bills you mentioned. After all “Freedom of Information is a fundamental human right and the touchstone for all Freedoms …..” UN General Assembly, 1946

You alluded to the fact that the Constitution has stated limits, I beg to differ, the Constitution just said in Art 21 (1)(f) “information subject to such QUALIFICATIONS AND LAWS as are necessary in a democratic society”. Moreover since you were one of the people who worked relentlessly to get the bill amended I am sure you are aware a right to information law is not about “limits as you put it” and Ghana’s RTI law is definitely not about limitations to access information.

Again, Hon Deputy Speaker and MP for Bekwai, It is true a Constitutional provision can be enforced in court and Occupy Ghana did that as you alluded to, and were given the information and let’s not forget they paid GHC 1,000.00 for it, excluding legal fees- filling etc. If you say anyone can go to court, true, but I am wondering how many of your constituents can afford the legal fees if they take you up on that?  
In light of the fact that in the manifesto (NPP 2016 Manifesto) that got your government elected, bullet (c) under Legislative and other reforms states   
“ensure the passage of the Right to Information bill if the present Parliament delays in doing so” and (a) under Petroleum Upstream and Mid-Stream Sector “improve transparency in the management of our oil and gas resources. Our Commitment to passing the Right to Information Bill will further enhance transparency in oil and gas sector,  
I am just wondering how ………… I sincerely hope that Ghanaians will not have to wait till 2020 for a law that is long overdue because the NPP has a 4 year tenure. I sincerely hope that this is not an NPP Government position-especially since the draft Bill has been with Cabinet for one full year, amidst promises but no movement.  
Yours Truly,  
Mina Mensah  
Head of Africa Office  
Commonwealth Human Rights Initiative

Vice Chair, Coalition on RTI, Ghana