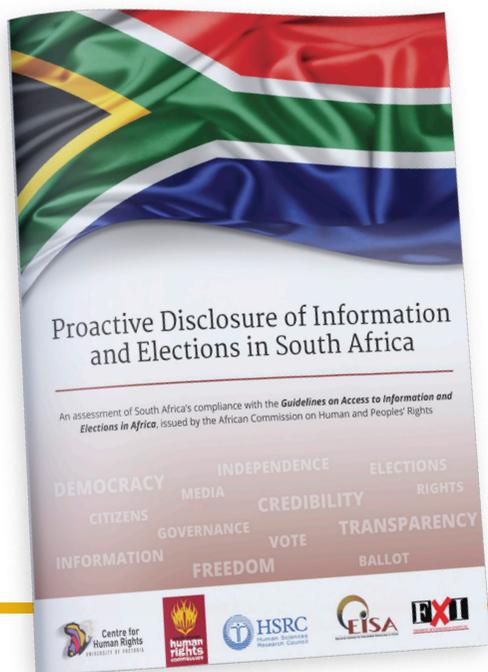


# VIRTUAL REPORT LAUNCH

## Proactive Disclosure of Information and Elections in South Africa



### WEBINAR (ZOOM)

THURSDAY 17 SEPTEMBER 2020

09:00 – 11:00 GMT / 10:00 – 12:00 WAT / 11:00 – 13:00 SAST / 12:00 – 14:00 EAT

The Centre for Human Rights, University of Pretoria, cordially invites you to a webinar organised by the Expression, Information and Digital Rights Unit on **Proactive disclosure of information and elections in South Africa**. The webinar will focus on South Africa's compliance with the Guidelines on Access to Information and Elections in Africa, issued by the African Commission on Human and Peoples' Rights. This flows from a collaborative research report on access to information and elections during South Africa's 2019 elections, that will be formally launched.

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## PANELLISTS

- **Moderator: Hlengiwe Dube**  
*Centre for Human Rights, University of Pretoria*
- **Commissioner Jamesina King**  
*Special Rapporteur on Freedom of Expression and Access to Information in Africa*
- **Lawrence Mute**  
*Former Special Rapporteur on Freedom of Expression and Access to Information in Africa*
- **Pansy Tlakula**  
*Chairperson of the Information Regulator*
- **Sy Mamabolo**  
*Chief Electoral Officer (CEO), Independent Electoral Commission*
- **Chris Nissen**  
*Commissioner responsible for civil and political rights, South African Human Rights Commission*
- **Izak Minnaar**  
*Media and elections consultant and trainer*

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## BACKGROUND

The African Charter on Human and Peoples' Rights guarantees the right of access to information under article 9. Access to information is a cross-cutting and facilitative right that is an instrumental element of democratic governance and crucial to meaningful participation in public affairs. In November 2017, the African Commission on Human and Peoples' Rights adopted the [Guidelines on Access to Information and Elections in Africa](#) during its 61st Ordinary Session. The Guidelines are acknowledgement by the African Commission of the importance of access to information to the realisation of the right to participate in government directly or through freely chosen representatives, as guaranteed by article 13 of the African Charter. State parties to the African Charter have an obligation to create an enabling environment for the exercise of the right of access to information. Under the Guidelines, it is the obligation of state parties to ensure that the proactive disclosure of all essential election-related information is conscientiously adhered to by all stakeholders that are involved in the electoral process. The stakeholders identified in the Guidelines are the appointing authority for the electoral management body; electoral management bodies; law enforcement agencies; media and media regulatory bodies; election observers and monitors; political parties and candidates; and civil society.

The intention of the Guidelines is to enhance transparency and integrity in the conduct of elections in Africa. As African countries increasingly undertake competitive elections, there are immense transparency and credibility challenges that contribute to irregularities resulting in disputed election results, and in some cases, electoral violence. Secrecy and lack of proactive disclosure of election-related information have been at the core of this predicament. Thus, it has become imperative to focus electoral discussions on the role of access to information so that the right to vote can be meaningfully exercised.

It is in this context that the Centre for Human Rights and its partners in South Africa, the South African Human Rights Commission (SAHRC), the Democracy, Governance & Service Delivery research programme at the Human Sciences Research Council (HSRC), the Electoral Institute for Sustainable Democracy in Africa (EISA) and the Freedom of Expression Institute (FXI), prepared a report that evaluates how key stakeholders in the electoral process in South Africa fared in terms of proactive disclosure of information before, during and after the national and provincial elections held on 8 May 2019. It is a ground-breaking study being the first of its kind to assess a state party's compliance with the Guidelines.

## EVENT OBJECTIVES

- To draw the attention of stakeholders to the Guidelines on Access to Information and Elections in Africa;
- To facilitate a dialogue on access to information and elections in Africa and
- To share perspectives and recommendations from the study on South Africa's compliance with the Guidelines.

## AGENDA

- Introductory remarks
- Overview of the Guidelines on Access to Information and Elections: Address by the former Special Rapporteur on Freedom of Expression and Access to Information
- Presentation of the key findings and recommendations of the study
- Questions and discussion of the report, with input from the research contributors
- Interventions by representatives from the Information Regulator, South African Human Rights Commission and the Independent Electoral Commission.
- Opportunities and challenges regarding access to information and elections in Africa
- Discussion
- Concluding remarks