

## MALAWI HUMAN RIGHTS COMMISSION



### **PRESS STATEMENT ON THE NON-COMPLIANCE BY THE MINISTRY OF INFORMATION AND DIGITALISATION IN PUBLISHING NAMES OF INFORMATION OFFICERS**

The Commission has observed with dismay that since the operationalization of the Access to Information Act, 2017 on 30<sup>th</sup> September 2020, the Ministry of Information and Digitalisation has not published the names of appointed or designated information officers as required by the Access to Information Regulations 2021. Regulations 3 (3) states that ***“the Minister shall publish names of information officers in at least two newspapers of nationwide circulation at the beginning of each financial year”***.

Following the compliance monitoring exercises the Commission has been undertaking since 2021, many information holders have indicated to have submitted the names of their information officers to the Ministry of Information and Digitalisation. Contrary to the provisions set out in the Regulations, the Ministry has not published the names of information officers. On its part, the Commission has engaged the Ministry on several occasions through writing and physical meetings on the issues listed below but it has not yielded any positive results:

1. Lack of publication in the newspaper of designated/appointed information officers from the public institutions as required by the law.
2. Many public institutions have not yet appointed/designated information officers.
3. Many information holders have not put in place a mechanism for internal review in the event that a request for information has been denied.

4. Ministry of Information has not provided a clear direction on the submission of annual progress reports on ATIA from information holders.
5. Lack of allocation of funding for the implementation of ATIA in the annual budget by information holders.

The role of the information officers in the provision of information held by institutions is very critical. Therefore, it is imperative for the public to know who to contact for access to information from every institution to which this law applies.

In this regard, the Commission calls upon the Ministry of Information to expedite the publication of the names of information officers submitted by various institutions. Additionally, the Ministry must be exemplary in fulfilling all its obligations under the Act and Regulations.

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a series of loops and a tail.

Chikondi Chijozi  
**chairperson**  
**19<sup>th</sup> December 2023**