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PRESS RELEASE

**Kenya: Proposed Constitution Welcome
But Access to Information Must Be Implemented**

ARTICLE 19 welcomes the Proposed Constitution of Kenya which guarantees and safeguards human rights in general, and freedom of expression, freedom of the media and the Right to Information in particular.

Unlike the existing constitution, the proposed text contains separate sections for the Right to Freedom of Expression (Section 33), including a free media (Section 34), and the Right to Information (Section 35). A referendum is due to be held on the new constitution by 6 August 2010 at the latest.

Unfortunately, a law on access to information is not among those that the proposed constitution prioritizes for enactment in the next five years and the legislative agenda is likely to be overwhelming to a Parliament not known to pass more than ten laws in a year. However, during the recent UN Human Rights Council Universal Periodic Review in Geneva, Kenya committed to enacting such a law by the end of 2010. Around 90 countries worldwide have so far adopted Access to Information laws or regulations.

“Implementing an access to information law in Kenya is critical,” says Dr Agnes Callamard, ARTICLE 19 Executive Director. “Once implemented, the Right to Information will have a huge impact on Kenya, enabling and empowering people to see what their government is doing, and therefore making the government more responsive and accountable.”

NOTES TO EDITORS:

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- Read ARTICLE 19’s analysis of the draft constitution at: <http://www.article19.org/pdfs/analysis/kenya-comment-on-the-harmonised-draft-constitution.pdf>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.