

Communiqué

Issued at the end of a Two-Day Workshop on “Using the Freedom of Information Act for Investigative Reporting”, held on Thursday, October 26, and Friday, October 27, 2023 at Asaa Pyramid Hotel, Kaduna.

Introduction

Media Rights Agenda (MRA) convened a two-day workshop on “Using the Freedom of Information Act for Investigative Reporting” on Thursday, October 26, and Friday, October 27, 2023, at Asaa Pyramid Hotel, Kaduna. It was attended by 28 participants, most of whom are journalists from broadcast, print and online media drawn from different states across northern Nigeria.

The objective of the workshop was to sensitize participating journalists and build their capacity to use the FOI Act for investigative reporting by familiarizing them with the key provisions of the Act, how to make requests for information under the Act to increase their chances of success, and the enforcement mechanisms and options available to them whenever they are wrongfully denied access to any information requested.

The workshop was organized by Media Rights Agenda with support from the MacArthur Foundation through the Wole Soyinka Centre for Investigative Journalism (WSCIJ) under the Collaborative Media Engagement for Development, Inclusion and Accountability (CMEDIA) Project, a multi-level intervention that supports media independence, improved transparency, accountability, and good governance in state and local governments with more public awareness on the need for accountability, and amplified marginalised voices.

The workshop had plenary presentations and break-out sessions, which treated different topics including: What is Investigative Journalism; Conducting Investigative Reporting; The Role of Records in Investigative Reporting; Understanding the Freedom of Information Act, 2011; The FOI Act and Investigative Reporting; and How Journalists and the Media Can Use the FOI Act.

Other topics treated are: Fact-checking and Investigative Reporting; Making Requests for Information Under the Freedom of Information Act; Deciding What Investigative Reports to Carry Out; Interviews in Investigative Reporting; and How to Present Stories from Investigative Reporting.

Observations

- Participants observed that in spite of the clear provisions of the FOI Act, the usage of the Law by journalists and the media remains relatively poor owing to a variety of challenges, including inadequate awareness about the Act and how to use it by media professionals, the lack of willingness by many State governments and public institutions at the Federal level to comply with its provisions.
- Participants acknowledged the enormous impact that the FOI Act can have on the work of journalists, including in conducting investigative reporting, and observed that the Law offers members of the media community a real possibility of getting much of the information they require to carry out their professional functions and to produce stories that will be of interest to the public while also impacting governance.

- They also acknowledged the potential of the FOI Act to reveal corruption, abuse of public trust, abuse of power or other wrongdoings and to ultimately push back against corruption while improving accountability in governance.

Recommendations

- Participants recommended that there should be continued sensitization of media practitioners at different levels, from editors and newsroom managers to reporters, on the various tools that they can use to enhance investigative reporting, including the FOI Act.
- They resolved to henceforth use the FOI Act to make Governments at Federal and State levels more open and transparent as well as to hold them accountable to the people in an effort to fulfill the constitutional obligation imposed on the Media under Section 22 of the 1999 Constitution.
- Observing that the FOI Act will enable journalists to get information from public and private institutions covered by the Act, they cautioned that the Law does not absolve them of their ethical obligations. They therefore called on journalists to hold themselves to high standards of ethics and professionalism and refrain from misusing information obtained through the use of the Act.
- The participants called on civil society organisations to support the media in the exercise and enforcement of their right of access to information, including by providing journalists and media organizations with legal and litigation assistance to challenge any wrongful denial of information under the Act in court.
- They agreed to monitor compliance by public institutions with the duties and obligations imposed on them by the FOI Act, including the designation of Freedom of Information Desk Officers by various agencies of government, the proactive publication of certain classes of information as required by the Act, the submission by all public institutions of their annual implementation reports to the Attorney-General of the Federation; the requirement that public institutions train their personnel and officials on the public's right of access to information, among others.

Adopted in Kaduna on Friday, the 27th Day of October 2023.