



WELCOME ADDRESS

BY

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Honourable Attorney General of the Federation
and Minister of Justice**

**AT THE CONSULTATION FORUM ON THE REVISED FOIA
IMPLEMENTATION GUIDELINES (27 - 28, NOVEMBER 2012)**

**At the OLUSEGUN OBASANJO AUDITORIUM
FEDERAL MINISTRY OF JUSTICE**

Protocols

I most heartily welcome you to the Federal Ministry of Justice at this significant collaborative initiative between the Ministry and the Democratic Governance for Development Project of the UNDP.

2. The Freedom of Information Act (the FOIA) came into operation on 28th May 2011. Under Section 1 of the Act, all government or public institutions are required, subject to certain exceptions, to disclose information pursuant to a request by any person.

3. It is worth recalling that the implementation of the FOIA is one of the cardinal strategies of the HAGF being pursued under the aegis of the panel on the Implementation of Justice Reforms (PIJR) chaired by Justice Ishaq Bello. The sixth platform of HAGF's plan outlines as priorities the development of FOIA guidance manuals for all government agencies training programs for all the government agencies and the facilitation of desk officers for the management of FOI information and privacy issues

4. Section 29 (6) of the FOIA entrusts the Office of the Attorney General of the Federation with the responsibility of ensuring compliance by MDAs. It in particular requires Public institutions to submit to the Attorney General, annual reports of dispositions made by them under Act in the preceding year.

5. The HAGF has through several initiatives encouraged compliance by public institutions. Towards this end the HAGF organized on the 20th of October last year a sensitization workshop of the FOIA for legal advisers of MDAs and law officers of the FMOJ.

6. Furthermore the FMJ issued an advisory memorandum of 28th January to all public Institutions which was published in the papers and widely circulated. The FMJ has also developed comprehensive guidance notes for all public institutions on the operational, institutional and substantive aspects of implementing the FOIA

7. Conscious of the need to have a participatory approach to the FOIA process I have initiated a process of updating the guidelines through a participatory process with the hope of publishing the revised version later this year. This process is supported by the Democratic Governance for Development (DGD) II Project, a joint donor-funded project with the overall aim of strengthening the democratic character of Nigerian political processes and promoting outcomes that consolidate and advance democratic governance and accountability to achieve the country's stated development priorities and goals specified in the Federal Republic of Nigeria and the United Nations Development Assistance Framework (UNDAF) and the Country Programme Action Plan (CPAP).

8. There is also need for a strong internal mechanism within MDAs for monitoring compliance and responding to FOIA requests. The guidelines on implementation are primarily intended to facilitate compliance by affording a greater understanding of the obligations custodians of public records under the Act. There is also need for robust interaction and consultation among public institutions. There is no doubt that in balancing the public interests involved in disclosure or non disclosure of information factors that are germane may be better appreciated by such consultation particularly where custody of the information sought is shared.

9. I would like to seize this opportunity to thank the UNDP and its partners for supporting this initiative. I wish you a fruitful discussion

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