

## **DEMOCRATIC PARTY SUBMISSION TO THEME COMMITTEE ONE ON ACCOUNTABLE GOVERNMENT**

In respect of Accountable Government, the Constitutional Assembly is required to give effect to the following Constitutional Principle.

### Schedule 4 IX

"Provision shall be made for freedom of information so that there can be open and accountable administration at all levels of government".

By "Accountable Government" the DP understands the right of every citizen to hold the government to account for the manner in which it discharges its responsibility towards the powers which have been vested in it. These powers include the capacity which a government might have to influence an individual's rights to life, equality, human dignity, freedom, security, privacy, religion, belief, opinion, expression, association, movement, demonstration, residence and any other right generally contained in the category known as "fundamental human rights".

Accountability also includes the right of any individual to hold the government to account for the manner in which it has discharged its duties towards the administration of the Department of State for which it is responsible. This particular right is exercised through granting an individual the right to vote in a free and fair election.

Constitutional provision for accountable government should be made by binding all legislative and executive organs of state at all levels of government to certain fundamental rights as contained in the constitution.

The DP proposes that this might best be effected by devoting a chapter of the Constitution to fundamental rights and then making provision for the application of these rights to government.

Accessibility to government information is an indispensable adjunct to accountability and should be provided for, except in exceptional cases where the security of the state would be placed in jeopardy by disclosure.