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Press Release

UPDATE ON HIGH COURT APPLICATION: ACCESS TO INFORMATION ON HARARE WASTE MANAGEMENT FACILITIES AND LICENCES

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ZELA & ANOTHER vs. CITY OF HARARE: CASE NO: HC 927/2008

In a High Court application filed by the Zimbabwe Environmental Law Association (ZELA) with Environment Africa as the second applicant on the 18 February 2008, our staff lawyers attended court on the 3rd of February 2009 to argue on the matter against City of Harare before Justice Hlatshwayo.

In this case ZELA is seeking an order declaring that it is entitled to access all environmental information held or generated by the respondent (City of Harare) and in particular; their Waste Disposal License from the Environmental Management Agency, their Waste Management Plan and a Report prepared by a consultant for the designation of Waste Collection sites in high density areas.

During the hearing the City of Harare through its lawyers, Hussein Ranchhod, maintained its position that the applicants have not shown a reason for requesting the information and that they are seeking to usurp the functions of the Environmental Management Agency by so doing. It also contended that the applicants should have applied to the Media and Information Commission for review.

The thrust of ZELA's argument was that the access laws in Zimbabwe the Access to Information and Protection of Privacy Act (Chapter 10:27) and the Environmental Management Act (Chapter 20:27) give specific rights to all Zimbabweans to access environmental information and that this matter presents an opportunity for the High Court to judicially pronounce the rights of the public with respect to access to information. In the end the Judge reserved judgment on the case which will be delivered on a latter date.

ZELA Publications Team