



# GOVERNMENT OPENNESS IN AN INFORMATION AGE

2015 Report on Open & Secretive  
Public Institutions in Southern Africa





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“Public bodies hold information not for themselves  
but as custodians of the public good and everyone  
has the right to access information...”

African Charter on Human & Peoples Rights

The African Platform on Access to Information  
[www.windhoekplus20.org](http://www.windhoekplus20.org)

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# REGIONAL OVERVIEW

Access to information is widely recognised as an essential tool in the democratic functioning of a state. It is also a basic human right guaranteed at both international and regional levels, which provides citizens with the right 'to seek, access and receive information from public and private bodies performing a public function'. The state also has a duty to provide information to the public through both affirmative disclosures of such information and by facilitating the information request process.

As southern Africans continue to demand greater access to information and participation in the public sphere, the right to access information has become increasingly important in the region.

Between May and July 2015, MISA National Chapters participated in the Most Open and Secretive Public Institutions in Southern Africa research coordinated by the Regional Secretariat. The research is intended to assess the level of openness of public institutions in the region. The study was launched for the sixth consecutive year in countries in the SADC region. This year, research was carried out in Tanzania, Zambia, Zimbabwe, Namibia and Malawi.

During the six-year-period that MISA has conducted research in southern Africa, there has been a marked improvement in the use of ICTs in the provision of public information. Most public bodies in southern Africa have working websites that provide at least some basic information, although typically absent items continue to include information with respect to budgets and expenditure, and websites that are not regularly updated. Also, whilst on average, public bodies across the region have working websites, some countries such as Zimbabwe and Malawi, continued to perform poorly, with a number of public bodies not having any website at all.

Most notable, in terms of web presence, public bodies are increasingly using social media platforms such as Twitter and Facebook. In some instances, Facebook was the preferred method of communication with the public. This was illustrated by the Malawi report, which reported that although Blantyre City Council did not have a website, their social media presence was strong with an updated Facebook page containing relevant public information.

Since conducting the 2014 study, the number of countries with access to information legislation in the region has increased from three to four. Be that as it may, there are still a number of countries who have not enacted laws, which would facilitate greater access to information for citizens, despite promises by a number of governments to enact such legislation.

In this regard, the survey highlighted the fact that it is still the case that ordinary citizens struggle to receive responses to basic requests for information, with researchers experiencing long delays, no responses at all or justification for their request when they submitted them for information. Some public bodies displayed exemplary service, such as the Ministry of Lands, Housing and Human Settlement in Tanzania, who not only responded to questions with efficiency and courteousness, but also encouraged the requestor to visit their offices for any additional information they might require.

In September 2015, awards will be presented to the relevant institutions at separate events hosted by MISA Chapters. The accolades will both acknowledge the hard work carried out by public institutions, who have prioritised the right of access to information as an essential public service, and those that have not met the minimum best practice standards. This will be done in the hope of working together in the future to ensure greater access and participation to the citizenry of the region.

## RESEARCH METHODOLOGY

The research adopts qualitative and quantitative methods of data collection, and seeks to evaluate the level of public access to information held by government and public institutions. Each MISA Chapter conducts research by evaluating the websites of government and public institutions along with submitting oral and written requests for information. This method seeks to establish the transparency and efficiency of government and public institutions in providing information to the public.

## DATA ANALYSIS

**Category 1:** Evaluation of government and public institution websites to determine the access and presence of credible and updated public information, which includes but is not limited to: powers and functions of the institution in question; vacancy and budgetary allocations; procurement procedures and contact details and reports.

**Category 2:** This category was divided into two sections, namely written questionnaires and oral requests for information. These instruments were adopted to determine the ease with which public information is obtained from government and public institutions.

### Description of Assessment Criteria

The total number of points allocated to categories 1 and 2 is 20 points ( $n = 20$ ) each. Points are awarded based on the researcher's answer: Yes (2 points); Partial (1 point); No (0 points). Government ministries and institutions fell into one of the following groups in accordance with the number of points that they received.

#### **Category 1: Website Analysis**

**Group 1: (0 – 6)** Absence of a website or an extremely poor website containing no or almost no relevant public information.

**Group 2: (7 – 13)** Average website containing some relevant public information.

**Group 3: (14 – 20)** Well organised, transparent website providing a good amount of relevant public information.

#### **Category 2: Written Request/Oral Request**

**Group 1: (0 – 6)** Denied access to reasonable information requested or acted with high levels of secrecy.

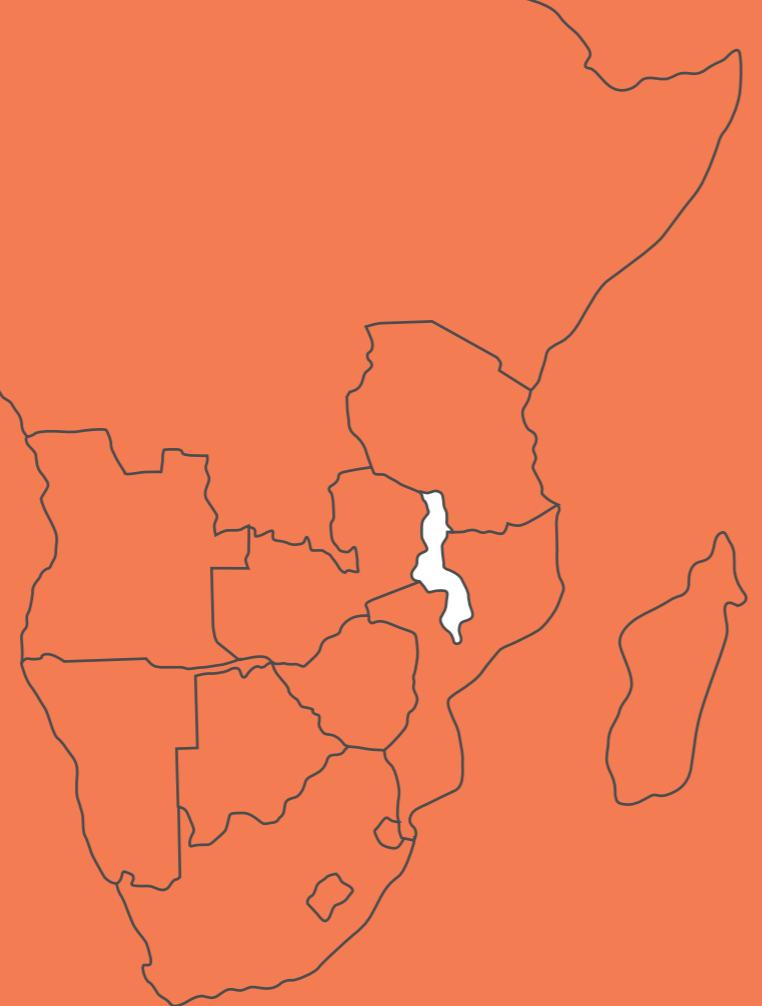
**Group 2: (7 – 13)** Displayed an average level of openness in allowing access to public information.

**Group 3: (14 – 20)** Displayed openness in allowing access to public information. The institution was helpful and transparent.



# MALAWI

2015 Report on Open & Secretive  
Public Institutions in Malawi



## INTRODUCTION

Access to Information (ATI) or the right to information is an important component of every functioning democracy. In recognition of this, the architects of the 1994 Malawi Constitution and guaranteed access to information under Section 37, which states:

“...Every person shall have the right of access to all information held by the State or any of its organs at any level of government in so far as such information is required for the exercise of his right.”

To add weight to this provision, the Malawian Government in January 2014, adopted an ATI Policy with emphasis on the importance of this right in ensuring participatory democracy and good governance. The policy recognises a number of factors that hamper the enjoyment of this right including the prevailing ‘culture of secrecy’ in public bodies. These include the following:

- lack of an institutional framework and systems for the management of information;
- lack of a statutory framework that provides guidance on the nature of information that can be accessed or remedies in the event that access has been denied and
- lack of a law on access to public information governing the process and scope of access to information

Among other things, the policy calls for the enactment of legislation on ATI to guide and facilitate efficient and effective information management structures and systems for management and administration of information for easy access by the public.

Almost a year down the line, the ATI law as recommended by the policy is yet to be enacted. This is despite constitutional and policy guarantees to this effect.

Access to information remains a key challenge for Malawians. The absence of such a law means that citizens cannot access information held by the State and public institutions as provided for in the constitution and the ATI policy. In the absence of such an Act, there is no legislation to compel public officials to provide people with the necessary information to make informed decisions.

It is on this basis that the Malawi chapter of the Media Institute of Southern Africa (MISA Malawi) continues to advocate for the enactment of legislation on ATI. MISA Malawi has been conducting awareness campaigns at national and district level targeting chiefs, district councils and Members of Parliament to support the call for legislation on ATI.

MISA Malawi believes that ATI is a cross cutting issue, and that chiefs, local assemblies and non state actors operating at district level can lobby and advocate for an ATI regime in the country.

Government officials including, President HE Peter Mutharika have repeatedly committed in Parliament and other platforms that ATI is a priority and that the country will have ATI legislation before the end of 2015. MISA Malawi considers such commitment promising and continues to put pressure on government to walk the talk.

Studies on the Most Open and Secretive Public Institutions in Malawi are a reminder to government and all stakeholders with respect to the level of openness in public bodies and the need for an open and transparent regime for Malawi to develop.

MISA Malawi hopes that the 2015 study, just like others done in the last six years, will add impetus to calls for ATI legislation and remind government of its commitments and the need to take action.

## RATIONALE AND RESEARCH PARAMETERS

As noted in our 2012 report, Access to Information is a fundamental human right that underpins all other rights. The architects of the 1994 Malawi Constitution clearly recognised the importance of this right when providing an independent clause in Section 37.

The architects of the Malawi National Access to Information Policy realised the value of this right in ensuring participatory democracy and good governance and recommended adoption of an ATI law to ease public access to information.

Research on the Most Open and Secretive Public Institutions in Malawi provides solid evidence on the lack of transparency within public bodies and adds weight to the call for ATI Legislation. The 2015 study sought to assess the level of transparency in government and public institutions in Malawi to build a strong case for past calls for ATI legislation.

### Specifically, the study sought to:

1. Assess the level of transparency in government and public institutions against international standards and principles on ATI
2. Influence adoption of practices, laws and a culture that promotes transparency and openness in government and public institutions
3. Inform advocacy and interventions by MISA Malawi and civil society across the country
4. Encourage citizens to exercise their fundamental right to access information generated, held and under the control of government institutions necessary for accessing other socio economic rights

MISA Malawi assessed 10 institutions. The survey, conducted in June and July, focused on the following public bodies:

1. Blantyre Water Board
2. Blantyre City Council
3. Central Medical Stores Trust
4. Department of Disaster Management Affairs
5. Malawi Road Traffic Directorate
6. Ministry of Agriculture and Water Irrigation
7. Ministry of Industry and Trade
8. Ministry of Local Government and Rural Development
9. National AIDS Commission
10. The Malawi Electoral Commission

The Blantyre City Council (BCC) and the Ministry of Local Government and Rural Development were the poorest performing institutions in 2014. The two institutions were retained to gauge if the previous study had impacted on their performance.

The Malawi Electoral Commission (MEC) and Blantyre Water Board (BWB) who were the best performing institutions in 2014 were reassessed in 2015 to check if they had maintained standards.

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- In this category, many organisations performed badly. It is sad to note that in this digital era, there are public institutions without websites. Blantyre City Council, Malawi Road Traffic Directorate and the Department of Disaster Management Affairs do not have websites.
- During the research, most websites of the sampled institutions could not be accessed, for example, the National AIDS Commission and most ministries.
- Most of the information on the few websites that could be accessed was not dated and this made it difficult to ascertain the exact date the information was uploaded. The Malawi Electoral Commission and the Ministry of Industry and Trade websites presented this type of problem.
- Out of the 10 institutions surveyed, seven have supplementary social media sites such as Facebook and Twitter.

### Category 2: Requests for information

- Out of the 10 government and public institutions surveyed, only three responded to the written requests for information, namely Blantyre City Council, National AIDS Commission and the Malawi Electoral Commission. Most of the organisations requested a face-to-face interview and asked for justification from the researcher as to why they needed the information. This shows that most public organisations are not open, as they do not easily or freely give out information.
- Almost all organisations acknowledged receiving the requests for information. Most institutions promised to get back to the researcher but never did.
- Two institutions, the Ministry of Local Government and Rural Development and Central Medical Stores, responded within 24 hours to the researcher's request for information with a counter request for proper identification and justification on why the information was needed.

## DETAILED FINDINGS

### 1. Blantyre City Council (BCC)

#### CATEGORY 1: WEBSITE

##### No website

The Blantyre City Council does not have a website. However, the organisation has a Facebook page which is updated. Almost every week, the organisation updates the page. This assessment is therefore, based on the Council's Facebook page.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:		•		
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 2/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to Blantyre City Council:

1. What is your relationship with the media?
2. What type of media do you interact with most? Why?
3. How does the council involve people in designing and implementing projects to keep the city clean and safe?
4. Lately, Blantyre City has shown tremendous change in terms of sanitation and vending in the city, what strategies did you come up with to reach that stage?
5. Tell us more about the Red Star Campaign?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?	•		
6. Did the institution provide written reasons for the refusal of information?	•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		

n = 20	Yes	No	Additional Information
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?	•		The institution never responded to the questionnaire

**Total Score: 14/20**

## 2. Blantyre Water Board (BWB)

### CATEGORY 1: WEBSITE

[www.bwb.mw](http://www.bwb.mw)

Blantyre Water Board has the following on its homepage 'Home', 'About BWB', 'Customer Service', 'News and Events', 'Tariffs', 'Projects', 'Reports', 'Social Welfare', 'Downloads' and 'FAQ'. The board's website has a section on 'News and Events' where they post their activities. The page is well updated. A recent news item during the research was posted on 24 June 2015. All items were up-to-date. In addition, the organisation has a Facebook account which is not updated.

The website is useful as almost all the links and downloads were accessible. It also has a link to the 'Madzi a Moyo Promotion' (Water for Life Promotion) which has detailed information, including every month's draw.

The website has a feedback section where visitors can express their views online, enquire about their bills and make payments. There is a mechanism to request and receive information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?			•	Partial information on signed contracts
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 13/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Blantyre Water Board:

1. For some time Blantyre has been experiencing water problems, what are the main causes for this problem?
2. As a way of providing a solution to water problems, the board introduced a system of supplying water in water bowsers to some townships in the city, how is this initiative going?
3. What criteria do you use when determining the recipients of water in the system mentioned above?
4. What kind of media does the board interact with most?
5. Would you provide us with your annual budgetary requirements?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	The institution never responded to the questions

**Total Score: 2/20**

## 3. Central Medical Stores Trust

### CATEGORY 1: WEBSITE

[www.cmst.mw](http://www.cmst.mw)

The website of Central Medical Stores Trust has the following menu on its homepage, 'Home', 'Webmail', 'About Us', 'Services', 'Products' and 'Contact Us'. The pitfall of this website is that one has to log in to access it. The site requires one to click 'webmail' and then log on to the other sections of the website.

The homepage does not contain much; the webmasters could have improved the outlook of the website, for example adding a 'HELP' function on the menu to guide web visitors on how to navigate the site.

In the 'About Us' menu, the website does not provide much information apart from one sentence which says 'they supply medicine evenly.' The webmasters could have improved this section for people to know more about the organisation.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?			•	Just a mention that they provide procurement services
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?				
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 1/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Central Medical Stores Trust (CMST):

1. What is the mandate of Central Medical Stores Trust in Malawi?
2. There have been instances of bad publicity for the CMST especially on supply of drugs, how do you deal with such issues?
3. What are some of the problems CMST faces with regard to supply and distribution of drugs?
4. What criteria do you use in getting drug suppliers?
5. Are you satisfied with your current system of distributing drugs?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?	•		Responded within 24 hours
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?			
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	Asked for full description of the research, organisation and justification for the requests
9. Did the institution acknowledge your request for information within 7 days?			
10. Was the information received clear and understandable?		•	The institution never responded to the questions

Total Score: 8/20

## 4. Department of Disaster Management Affairs

### CATEGORY 1: WEBSITE

#### No website

The organisation does not have a website. It has a twitter handle instead, 'Mw Dept of Disaster@disasterdept'. The account is updated and during the research, the latest news article was posted on 14 June 2015.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:		•		
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 2/20

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Department of Disaster Management Affairs:

1. What are the main responsibilities of your department?
2. In the recent floods that happened in the country, what procedures were you following in distributing relief items to the victims?
3. How many were affected by the floods?
4. Knowing that disasters are not planned and come when you least expect them, how does the department prepare for times like these?
5. Would you tell us how much funds were allocated to your department for disasters in the 2013/14 budget?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	The institution never responded to the questions

Total Score: 6/20

## 5. Malawi Road Traffic Directorate

### CATEGORY 1: WEBSITE

#### No website

The Malawi Road Traffic Directorate does not have a website or any social network site despite the critical role that the institution plays in the country.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	
b) A list of laws, Acts etc. issued within the scope of its powers?			•	
c) Reports, policies, programmes?			•	
d) Budget and expenditure?			•	
e) Information about procurement procedures, signed contracts?			•	
f) Vacancy and employment procedures?			•	
g) The address, telephone number, and working hours of the institution?			•	
h) The contact details of specific public officials?			•	
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

Total Score: 0/20

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Malawi Road Traffic Directorate:

1. What does Malawi Traffic Information System mean?
2. There are reports from some sections of the public that there are delays in acquiring licences despite the introduction of the new system, how do you plan to answer this challenge?
3. One major aim of the Malawi Traffic Information System is to curb corruption, however the issue of middle men conniving with service seekers is continuing what is your message to the public?
4. How much money is reserved or allocated for the Malawi Traffic Information System project?
5. Would you provide us with the department's policy and budget structure?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 2/20**

## 6. Ministry of Agriculture and Irrigation

### CATEGORY 1: WEBSITE

[www.moafsmw.org](http://www.moafsmw.org)

The Ministry of Agriculture does not have its own website but it is linked to the Malawi government official website. However, it was inaccessible throughout the entire research period. The Malawi government official website was hacked during this research period and was not accessible.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		

n = 20	Yes	No	Partial	Additional Information
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 0/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Ministry of Agriculture and Water Development:

1. The problem of food shortage in the country has always been there, are there any long term strategies the ministry is working on?
2. The country registered the worst ever flooding during the 2014 to 2015 rainy season, is the ministry working on any projects or activities to ensure food security in the event of disasters such as floods that wash away crops?
3. What media do you often use to share information on agricultural research to ensure that such information and research benefit Malawians?
4. Currently, the issue of climate change is high on the global agenda, what is the ministry doing to ensure that farmers are aware of the dangers of climate change with respect to changing weather patterns?
5. What are the budgetary requirements for the ministry to effectively operate without any problems?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 2/20**

## 7. Ministry of Industry and Trade

### CATEGORY 1: WEBSITE

[www.moit.gov.mw](http://www.moit.gov.mw)

The Ministry of Industry and Trade has the following on its homepage 'Home', 'Invest in Malawi', 'Agreements', 'Projects', 'Tip Swap', 'Documents', 'Contact Us' and 'FAQs'. The website is updated and the latest upload was a press release dated 11 May 2015.

The website has detailed treaties and agreements; there is a help menu which seems to benefit a lot of viewers. Almost everything that involves the ministry is uploaded. The organisational structure named 'organogram' on the menu is available and updated as well.

It should be noted that downloads on the website can easily be made. Links to other pages are well established and work.

However, the ministry needs to improve in putting dates on its articles; and press releases as most of them do not have dates.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?			•	Vacancies are there but are not accessible.
g) The address, telephone number, and working hours of the institution?			•	There are no working hours stated but the rest is there
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 12/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Ministry of Industry and Trade:

1. Africa has introduced the Tripartite Free Trade Area; Malawi out of 26 countries is one of the member states, what is your view on this deal?
2. The deal is intended to ease the movement of goods across member countries. What are the benefits for Malawi?
3. Are there any potential threats that you foresee under the Tripartite Trade Area Agreement?
4. How do you intend to deal or mitigate such threats for Malawi, if any?
5. What strategies is the ministry planning to use to raise awareness on the Tripartite Free Trade Agreement?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		The spokesperson
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	

n = 20	Yes	No	Additional Information
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	The institution never responded to the questions

**Total Score: 2/20**

## 8. Ministry of Local Government and Rural Development

### CATEGORY 1: WEBSITE

[www.mlgrd.gov.mw](http://www.mlgrd.gov.mw)

At the time this research was being conducted, the website for the Ministry of Local Government and Rural Development was inaccessible. Just like the Agriculture ministry, the ministry's website is connected to the official government website. This too could not be accessed after it had been hacked.

However, the ministry has an updated Facebook account. The website analysis is thus based on the Facebook account information. The last posting was on 28 May 2015.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	Only the contacts and addresses are available, no working hours were stated.
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 3/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to the Ministry of Local Government and Rural Development:

1. What kind of problems do you face as a ministry?
2. As a ministry responsible for appointments and the welfare of chiefs, how do you ensure that chiefs are not involved in politics?
3. Lately, there has been an issue of District Commissioners outnumbering the available councils, what are you doing to overcome this challenge?
4. In your view, was the amount allocated for your ministry in the 2015/2016 budget enough for your requirements?
5. Would you provide us the amount of funds the ministry used in the last financial year?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		The spokesperson
2. Did the institution reply within 21 days?	•		Within 24 hours
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?	•		Needed clarity on the organisation requesting the information, purpose and agenda of the research.
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	Questioned the purpose of the research and was given the reasons but never gave out information.
9. Did the institution acknowledge your request for information within 7 days?	•		Within 24 hours
10. Was the information received clear and understandable?		•	The institution never responded to the questions

**Total Score: 8/20**

## 9. National Aids Commission

### CATEGORY 1: WEBSITE

[www.aidsmalawi.org.mw](http://www.aidsmalawi.org.mw)

The above website was inaccessible at the time of this research. The organisation has a Facebook account the 'Malawi National Aids Commission' which is not updated.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 0/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to National Aids Commission (NAC):

1. How would NAC assess its achievements in the fight against HIV/Aids in Malawi? Has the commission registered any notable successes?
2. What kind of problems does the commission face with regard to documenting successes in the fight against the pandemic?
3. What is the current HIV/Aids prevalence rate in Malawi?
4. How is the commission operating without support from the Global Fund?
5. Are there any plans to scale down the work of the commission in the wake of the reduction in financial support to the organisation?
6. What criteria does the commission use in deciding grant recipients?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Officer
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?	•		
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?	•		

**Total Score: 12/20**

## 10. Malawi Electoral Commission (MEC)

### CATEGORY 1: WEBSITE

[www.mec.org.mw](http://www.mec.org.mw)

The Malawi Electoral Commission website has the following on its homepage 'Home', 'About MEC', 'Elections', 'Downloads', 'Operations', 'News', 'Accreditation', 'Adverts', 'Publication and Reports' and 'Contacts'. Most of these pages had drop-down menus displaying sub-pages and all the sub-pages have a reasonable amount of content, without broken links.

The site is updated as recent news items were available. However, there are no dates in many articles, and thus it was not easy to tell if the news items were up to date.

In the 'About Us', there is information about the organisational structure, the terms of office and the laws that guide the commission.

However, the website does not provide a mechanism to request and receive information electronically. The webmasters could have improved this by including a section on feedback, to get views from their readers and other stakeholders.

The commission has an updated Facebook account with up-to-date information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			

	Yes	No	Partial	Additional Information
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	No name is specifically there, just the address
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 3/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Malawi Electoral Commission:

1. What was the most successful aspect of the first ever Tripartite Elections?
2. What was the most challenging element during the Tripartite Elections?
3. Would you provide us with details of total funds allocated to the commission during the 2014 elections?
4. In making sure that there are free and fair elections in 2019, have you started your preparations?
5. There were reports of funding woes with your commission, how did this affect the operations of the commission?

	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Manager
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		Responded within 3 days
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?	•		
7. Did the institution disclose information about its operations, budgets, structure etc.	•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		All questions were answered well and additional information was also included for purposes of the research

**Total Score: 8/20**

## RESEARCH CONCLUSIONS

As the National Access to Information Policy states, a culture of secrecy is still prevalent in Malawi. This study, like previous studies of its kind, show that most government bodies rarely value the public's right to know. Out of the ten sampled institutions, only three responded to the written requests for information. And out of the ten, only three have up-to-date information on their websites.

But, it is encouraging to note that most of the ministries and public institutions now have social network sites where they provide their readers with information. For example, although the Blantyre City Council does not have a website, its Facebook page is one of the strongest and updated sites as far as public institutions are concerned. It is similar in strength to that of the Malawi Electoral Commission.

It is important to note that the Blantyre City Council has greatly improved since the last research in 2014. At the time it scooped the Padlock Award as the most secretive public body of the eight that were sampled. From a total score of 2 in 2014 as winner of the Padlock Award, the Blantyre City Council has moved up the ladder to a total score of 16, and second best in 2015. The city council has displaced the Blantyre Water Board in the second best position.

## THE MOST SECRETIVE PUBLIC INSTITUTION IN MALAWI

All the institutions that did not respond to the written requests for information, do not have websites and can easily qualify as most secretive. Although some have a web presence, their sites could not be accessed because the government website to which they are linked had been hacked.

The Malawi Road Traffic Directorate, which scooped the 2010 Padlock Award, plays a crucial role in the transport sector in the country and is currently implementing a new licensing system. The directorate does not have a website and it does not respond to requests for information. The directorate makes it almost impossible for the public to access information.

Malawi continues to record high rates of road accidents, some of which involve un-roadworthy vehicles and inexperienced drivers. The department should be open and transparent, and readily available to provide information to citizens and all motorists, especially now when it is implementing a new licensing system which users have criticised for being cumbersome and irrelevant.

The road traffic directorate needs to be available to justify the relevance of the new system and reassure Malawians that all will be well. Hiding information will not help the institution.

The same applies to the Ministry of Agriculture. The ministry had a similar score as that of the Malawi Road Traffic Directorate. Both play a critical role in the development of the country. Both organisations did not acknowledge receipt of the questions emailed to them. They only acknowledged receiving the emails after the researcher followed up with phone calls. Both institutions asked for face-to face-interviews.

The Ministry of Agriculture, however, has an advantage over the Road Traffic Directorate. The ministry has a website which was inaccessible during the study as all government official websites were down. The Malawi Road Traffic Directorate has absolutely no website where they can share information with the public.

Therefore the winner of the Golden Padlock Award for the most secretive government and public institution for 2015 is the **Malawi Road Traffic Directorate**.

## THE MOST OPEN PUBLIC INSTITUTION IN MALAWI

Four out of the 10 institutions analysed qualify as the most transparent in 2015, these include Blantyre City Council, Blantyre Water Board, Ministry of Trade and Industry and the winner of the 2014 Golden Key Award, the Malawi Electoral Commission.

Blantyre City Council has scooped the Padlock Award on two separate occasions. The council won the Padlock Award in 2012 and 2014. But the results of the 2015 study show a great improvement in the way the council has performed. The institution scored a total score 16 points from 20 in 2015.

The Blantyre Water Board performed well in this study although it lost its second best position to the council. Despite not attending to the questionnaire, it has an updated website. The board also has a Facebook account, which is not updated but has clear information on laws and Acts that govern the organisation.

This is the second time the board has been assessed and continues to maintain a high standard in the website category. The board needs to improve how its public relations section conducts itself in providing information on request. Just like last year, the questionnaire sent to the board in 2015 was never attended to.

The Ministry of Industry and Trade performed well in this study. It scored 12/20 in the website category and 2/20 in the request of information category. Its website is updated, with downloads and links that are accessible. The ministry needs to respond to requests for information despite having an updated website.

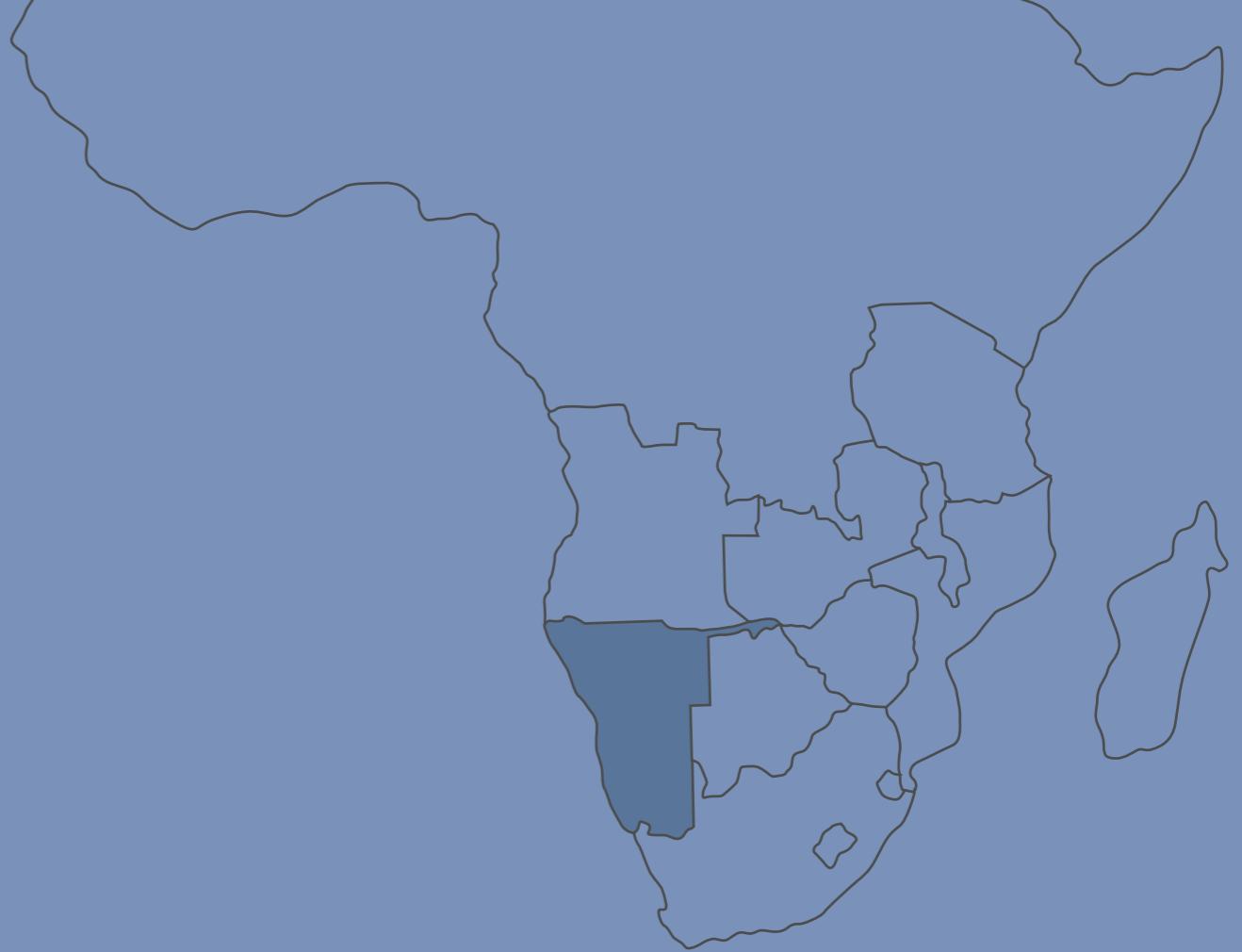
The Malawi Electoral Commission, which won the Golden Key Award in 2014, has maintained its standard and like last year, the commission did better in this year's research. The commission's website and Facebook account are up-to-date.

The Public Relations Manager of the institution responded to the questions sent in less than seven days and provided all relevant information including information that was not requested. This shows how open the commission is to the public. The commission scored 11/20 in the website category and 16/20 in the request for information category.

Therefore, the Golden Key award for the most open government and Public Institution goes to the **Malawi Electoral Commission**.

## RECOMMENDATIONS

This study shows that most ministries and departments have a presence on the official government website despite having public relations managers. Some ministries, like Trade and Industry have their own websites. This means that having their own website as a ministry is a matter of choice. MISA Malawi believes that training government information officers on the importance of ATI would help improve the situation.



# NAMIBIA

2015 Report on Open & Secretive  
Public Institutions in Namibia

## INTRODUCTION

The Access to Information environment in Namibia has not changed significantly within the last year. Government has given several verbal assurances that an access to information law will be enacted since the “Towards Greater Transparency Conference” in 2012, but this has not come to fruition. They have indicated that the development of an access to information policy has to precede the development of a law, but at the time of going to press, the policy development process had not yet begun.

However, newly appointed Minister of Information and Communication Technology Tjekero Tweya, has on several occasions expressed his commitment to ensuring access to information, declaring it a human right. He also called upon citizens to lodge complaints at his office if a request for information is denied by government departments.

MISA Namibia commends him for initiating a weekly column in the New Era newspaper, which provides the public with an opportunity to have their queries and complaints regarding government services and actions responded to. The column brings Namibians closer to accessing information that should be in the public domain, and contributes to government transparency and accountability.

Freedom of expression activists have to enhance their advocacy efforts with regard to access to information not as media issue only, but a fundamental human right. Ordinary citizens need to understand that they need information for them to make informed choices about their lives. If activists had done an effective job in ensuring that citizens are aware of their fundamental human rights, a lot more people would have been involved in the “My Constitution, My Decision Campaign” last year.

The campaign was in response to the rushed and ill-conceived amendments made to the Namibian Constitution. There was no public consultation, or even a notification that government intended to amend the country’s supreme law. The campaign also called for the ratification of the African Charter on Democracy, Elections and Governance, highlighting Article 10(2), which states: “State Parties shall ensure that the process of amendment or revision of their constitution reposes on national consensus, obtained if need be, through referendum”.

Despite Namibia not having any access to information law in the pipeline, government has been developing laws that focus on the protection of information and the surveillance of citizens instead.

In July, the ACTION Coalition called for the ‘Prevention and Combating of Terrorist and Proliferation Activities’ Act to be reconsidered - with more time given to weigh up how the law would effectively mitigate the threat of terrorism, while also protecting civil liberties. The coalition highlighted its concerns with the broad definition of “terrorist activity” because it could be misused to restrict ordinary political activity, such as peaceful demonstrations and labour strikes, and limit freedom of expression, rather than tackle terrorism.

Another proposed law that could further infringe on the individual’s right to privacy and free expression, is the Electronic Transactions and Communications Bill, which, if promulgated as is, will allow government to conduct search and seizure operations of databases and computers; intercept data and communications; and remotely monitor them for a period of up to three months. It also forces telecommunications service providers, or any other entity that may have information relating to a matter of interest to the government, to co-operate and provide all relevant data.

Government touted it as a law that would protect citizens from defamatory content being posted on social media networks such as Twitter and Facebook. But legal drafters will find it difficult to navigate between legislating surveillance and the seizure of personal data, and the constitutional provisions relating to freedom of expression and the right to privacy.

A major concern is that the proposed laws and already enacted legislation, such as the Communications Act of 2009, do not have sufficient gatekeeping measures to avoid a situation where these specialised intrusion technologies can be used to commit human rights abuses.

It is MISA Namibia’s sincere hope that the law-making process will henceforth place more importance on public views and other stakeholders, in particular civil society, and strike a balance between national security and civil liberties.

## RATIONALE AND RESEARCH PARAMETERS

This year’s study focused on eight ministries with the aim of assessing the degree to which they are accessible and responsive to the public’s demand for information.

The survey in Namibia was conducted from 01 to 27 July 2015. The study indicates how transparent each ministry is by using prescribed tools to measure the level of responsiveness for each chosen ministry within a given period.

The results of the study will continue to inform MISA Namibia’s campaign for legislation on access to information and a media policy. Access to information is essential to the realisation of the basic human rights and underpins all other rights.

The following public institutions were surveyed:

1. National Housing Enterprise
2. National Council of Namibia
3. Ministry of Youth, National Service and Sport
4. Ministry of Gender Equality and Child Welfare
5. Ministry of Industrial Trade and SME Development
6. Ministry of Land Reform
7. Ministry of International Relations and Cooperation
8. Ministry of Education, Arts and Culture

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- Of the eight government institutions surveyed, seven had their own individual websites. The National Council shared a website with the National Assembly on the Parliament of Namibia’s official web page.
- All of the surveyed government institutions’ websites were well presented and organised. Although the information was not always updated on their websites, it was still relevant.
- Of the eight websites surveyed, none provided information regarding their budget. No website displayed working hours, or the responsibilities of the administrators.
- Government presence on social media remains limited. Three ministries have Facebook accounts, one has a dormant Twitter account, while two have Twitter accounts, but no presence on Facebook. Another ministry has a dormant BlogSpot, while the remaining two have no social media accounts.

### Category 2: Requests for information

- The Ministry of Education, Arts and Culture was the only ministry without an officer designated for information dissemination.
- The National Council responded immediately with the correct information, as well as referrals to where the researcher could find more information. This is a real improvement from last year, when the researcher had no response at all. It is important to note that they were eager and friendly.
- The other surveyed ministries took their time in responding or did not respond at all, even after the researcher did a follow-up.

## DETAILED FINDINGS

### 1. National Housing Enterprise (NHE)

#### CATEGORY 1: WEBSITE

<http://www.nhe.com.na>

The website is informative and well-presented, organised and provides useful information. They do have an active Facebook account (National Housing Enterprise (Namibia)) which is up-to-date, but a dormant Twitter account (@nhe\_namibia).

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	The website has articles that are outdated, yet its information is still relevant and applicable. The year of its last update is 2015.
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Does not describe the responsibilities of the administration.
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours.
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 15/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the National Housing Enterprise (NHE):

1. What is your budget for 2015?
2. How did the halting of the national housing programme affect the NHE's operations?
3. How many Namibians received NHE homes in 2014?
4. How many people are expected to receive homes in 2015?
5. What is the current state of the low-income housing market in terms of constraints and opportunities?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Public Relations Officer
2. Did the institution reply within 21 days?			•	An administrative clerk acknowledged receipt of our request, and emailed it to the PRO, who subsequently ignored our request.
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		

n = 20	Yes	No	Partial	Additional Information
5. Did the institution provide all of the information requested?			•	
6. Did the institution provide written reasons for the refusal of information?			•	
7. Did the institution disclose information about its operations, budgets, structure etc.			•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?			•	
9. Did the institution acknowledge your request for information within 7 days?			•	
10. Was the information received clear and understandable?			•	

**Total Score: 3/20**

### 2. National Council of Namibia

#### CATEGORY 1: WEBSITE

[www.parliament.gov.na](http://www.parliament.gov.na)

The National Council is the upper chamber of Namibia's bicameral Parliament, and shares a web address with the National Assembly. The National Council's section provides adequate and updated information. It is well-presented and organised. They do not have Facebook or Twitter accounts, but the Parliament of the Republic of Namibia has a Facebook and a Twitter account.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Does not describe the responsibilities of the administration.
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?			•	
d) Budget and expenditure?			•	
e) Information about procurement procedures, signed contracts?			•	
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours.
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 12/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the National Council of Namibia:

1. What is the National Council's mandate?
2. Are the National Assembly and the National Council equally important? If so, how? If not, why not?
3. Which Bills did the National Council approve in 2015?
4. How does the National Council engage with grassroots Namibians?
5. What is National Council's budget for the 2015 financial year and how will it be applied?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?	•			They were very helpful and replied immediately with the correct information.
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?	•			
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?	•			Same day response.
10. Was the information received clear and understandable?	•			

**Total Score: 18/20**

### 3. Ministry of Sport, Youth and National Service (MSYNS)

#### CATEGORY 1: WEBSITE

<http://www.mynssc.gov.na/>

The website is outdated and not very informative. Although organised, it has contact details of the previous leadership. They do not have a Facebook or Twitter account.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	Links such as Questions and Answers, Motions and Archives that fall under the Parliamentary Papers are blank and Order Papers and Minutes are outdated.
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?				Does not describe the responsibilities of the administration.
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•		•	
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours.
h) The contact details of specific public officials?				The employee contact details, including that of the minister, is outdated.
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 12/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to Ministry of Youth, National Service and Sport (MYNSSC):

1. How does the ministry ensure the application of its core values: Accountability, Transparency, Professionalism, Integrity, and Innovation?
2. How does the ministry ensure that Namibian youth have access to information and communication technology (ICT) in order to empower themselves with information?
3. What are some of the ministry's major achievements in 2014 and 2015?
4. What are some of the ministry's major challenges in the implementation of its work?
5. What is the ministry's current organisational structure?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 2/20**

### 4. Ministry of Gender Equality and Child Welfare

#### CATEGORY 1: WEBSITE

<http://209.88.21.36/opencms/opencms/grnnet/MGECW/>

The website is up-to-date with recent activities and news feeds. The information is relevant, well-presented, and useful. The ministry has a blog (<http://namibia-gender-equality-child-welfare.blogspot.com/>). They do not have a Facebook or a Twitter account.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours.

n = 20	Yes	No	Partial	Additional Information
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 13/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Ministry of Gender Equality and Child Welfare:

1. Of all categories of social grants provided, which category requires the biggest budget?
2. What capacity building programmes does the ministry implement in order to ensure targets are met?
3. How does gender equality contribute to poverty reduction?
4. Does the ministry regard early childhood education as a priority? If so, why? If not, why not?
5. How does the ministry involve communities in order to ensure the welfare of children?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 2/20**

## 5. Ministry of Industrialisation, Trade and SME Development

### CATEGORY 1: WEBSITE

<http://www.mti.gov.na/about.html>

The website is loaded with useful and current information. It is linked to the national government website, and the Ministry also has a Facebook account

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:			•	Does not describe the responsibilities of the administration.
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Does not describe the responsibilities of the administration.
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		

n = 20	Yes	No	Partial	Additional Information
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours.
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 10/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Ministry of Industrialisation, Trade and SME Development:

1. What are the ministry's main focus areas to ensure the realisation of its mission?
2. Would you kindly provide us with the ministry's 2015 budget structure?
3. Now that the EPA has been signed, how does it affect our trade with SADC?
4. How many Namibian contractors benefited from the tenders issued by the ministry in 2014? If possible please indicate in figures (the total amount allocated to tenders and the percentage won by local contractors owned by citizens).
5. What is the ministry's communication strategy?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?			•	Researcher was referred to the website with key points to focus on and told where to look for the answers.
6. Did the institution provide written reasons for the refusal of information?			•	
7. Did the institution disclose information about its operations, budgets, structure etc.			•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			Researcher was referred to the website with key points to focus on and told where to look for the answers.
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

**Total Score: 15/20**

## 6. Ministry of Land Reform

### CATEGORY 1: WEBSITE

[www.mlr.gov.na/](http://www.mlr.gov.na/)

Though it is not up-to-date, the website is useful and well organised. The ministry has an active Facebook account. The website is informative and well presented.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	The website has articles that are outdated (2012) yet its information is still relevant and applicable. It shows the year of its last update which is 2015. And also still "Under - construction"
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Does not describe the responsibilities of the administration.
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours
h) The contact details of specific public officials?			•	The name of the employee is not provided, but features the job title and telephone contact details.
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 8/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Ministry of Lands and Resettlement:

1. In total how many plots have been allocated since the resettlement process began?
2. How many of those plots are residential, commercial or industrial?
3. Which district still has more land available for allocation and which one is topping the list of land scarcity?
4. How many land ownership transfer cases have been registered in the past three years?
5. Does the ministry frequently provide the media with information? If yes, which media do you prefer, radio, TV or print?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		

n = 20	Yes	No	Partial	Additional Information
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 2/20**

## 7. Ministry International Relations and Cooperation of Namibia

### CATEGORY 1: WEBSITE

[www.mfa.gov.na](http://www.mfa.gov.na)

Website was well-organised, but features mostly outdated information. The ministry has no presence on Facebook or Twitter either.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	Some documents are outdated (List of ambassadors and high commissioners was last updated in 2013)
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Does not describe the responsibilities of the administration
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours
h) The contact details of specific public officials?			•	The name and job titles of employees are not provided with the telephone numbers
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 9/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Ministry International Relations and Cooperation of Namibia:

1. How many foreign missions/embassies does Namibia host currently?
2. How long are foreign mission assignments for Namibian diplomats, and why?
3. In which countries does Namibia have foreign missions?
4. Which five (5) countries does Namibia have the strongest diplomatic relations with?
5. What does the ministry consider as more important - negotiating, diplomatic relations or economic or political benefit?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 2/20**

## 8. Ministry of Education Arts and Culture

### CATEGORY 1: WEBSITE

<http://www.moe.gov.na/>

The website is up-to-date, useful and well organised. The ministry has no active Facebook account.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:			•	Does not describe the responsibilities of the administration.
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?				
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	Does not indicate working hours
h) The contact details of specific public officials?			•	The name and job titles of employees are not provided with the telephone numbers.
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 13/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Ministry of Education Arts and Culture:

1. Which region performed the best in HIGCSE & IGCSE examinations, and which one was the worst in 2014? \* (Note: now Namibia Senior Secondary Certificate (NSSC) higher or ordinary level)
2. What was the ministry's budget allocation specifically for primary school education for the past three financial years?
3. How many primary schools are there nationwide?
4. How far has the Integrated Early Childhood Development (IECD) programme been developed and/or implemented?
5. How would you describe the relationship between the media and the ministry?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?		•		There is no Public relations official and no-one was willing to assist.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 0/20**

## SUMMARY IN NUMBERS

Institution	Website	Request for information	Total score
National Housing Enterprise	15	3	18
National Council of Namibia	12	18	30
Ministry of Youth, National Service and Sport	8	2	10
Ministry of Gender Equality and Child Welfare	13	2	15
Ministry of Industrial Trade and SME Development	10	15	25
Ministry of Lands and Resettlement	15	2	17
Ministry of International Relations and Cooperation	9	2	11
Ministry of Education Arts and Culture	13	0	13

## RESEARCH CONCLUSIONS

Surveyed institutions scored the greater part of their points through websites. Most of the institutions were unsuccessful in answering the questions and/or responding to requests for information. Special mention must be made of the National Council's speedy and friendly service.

## THE MOST SECRETIVE PUBLIC INSTITUTION IN NAMIBIA

**The Ministry of Youth, National Service and Sport** is the most secretive public institution in Namibia for 2015 and the recipient of the Golden Padlock award, having scored 10. The Ministry of International Relations and Corporation is the second most secretive institution with a score of 11.

## THE MOST OPEN PUBLIC INSTITUTION IN NAMIBIA

**The National Council of Namibia** is the most open public institution in 2015 and the recipient of the Golden Key award. This is a significant improvement, as it was the second most secretive institution in 2014. The Council scored 30. It was open and eager to assist the researcher. The Ministry of Industrial Trade and SME Development is the second most open public institution with a score of 25.

## RECOMMENDATIONS

We, yet again, found that the performance of a public institution with regard to access to information is dependent on the individual or the lack of an individual responsible for public relations. Government institutions have to recognise the importance of ensuring that there is an employee or employees dedicated to engaging with the public and the media, and that this office upholds professional standards.

The Ministry of Gender Equality and Child Welfare won the Golden Key award last year, but scored much lower this year because the PRO position was vacant at the time we conducted the survey. The National Housing Enterprising performed abysmally yet again. Were it not for the administrative clerk who made the effort to respond to the researcher's queries, despite the request being ignored by the PRO, they would have scored much less.

As a follow-up activity to last year's report, MISA Namibia, with the support of fesmedia Africa, hosted a Consultation on Access to Information with Public Institution Communicators in November. The objectives were to:

- enhance public institution communicators' understanding of ATI within the national, continental and global context;
- raise awareness on ATI as a critical enabler for the empowerment of the poor, for social liberty, and the advancement of citizens' participation in policy discourse; and
- create a platform for public institution communicators and the media to engage on how best to improve information flow between the two sectors

MISA Namibia intends to host another consultation later this year, but has to develop a more sustainable and consistent framework for engagement and capacity building with regard to access to information for both the media sector and government communicators.



## TANZANIA

2015 Report on Open & Secretive Public Institutions in Tanzania

## INTRODUCTION

Global trends reveal a growing commitment by state governments to embrace the ideals of transparent and democratic governance. This is reflected in the increasing adoption of various instruments, policy statements and declarations by state parties. Such manifestations, although ideally commendable, risk being superficial if not taken in their true spirit.

The Right to Information (RTI) is recognised as a fundamental human right in the Universal Declaration of Human Rights and is legally enforceable under Article 19 of the International Covenant on Civil and Political Rights and Article 9 of the African Charter on Human and Peoples' Rights.

It is a necessary right that facilitates the exercise of the full range of other human rights. In particular, the right underscores the essence of an informed public through guaranteeing the citizens' access to public information, which empowers the people to call on their governments to account for their actions.

Enshrined within RTI are the ideals of transparency, accountability and participation, which are the hallmarks for democracy. As such, in the struggle towards open governance, one of the practical ways to achieve this end is in entrenching the peoples' right to access information in strong legislation that complies with international best practice. This should serve as the initial step, which must be facilitated by effective monitoring and implementation measures.

The record of RTI (otherwise referred to as freedom of information or access to information) in Africa shows that most states have entrenched RTI in their national constitutions as a distinct right or as part of a broader interpretation of freedom of expression.

After several years of immense advocacy work by stakeholders and promises by the government to enact an Access to Information law, this year the Tanzanian government decided to honour its promises. It planned to table the bill to Parliament during the April seating.

Initially, stakeholders thought the government would share the final draft so that everybody would be satisfied with the document but to their dismay the government planned to table the bill under a Certificate of Urgency. This meant that stakeholders would get no chance to submit their opinions and recommendations.

Stakeholders, with support from a section of Members of Parliament pressured the government to withdraw the Certificate of Urgency and instead table the bill under normal channels of first, second and third readings before passing it into law, to allow the views and final recommendations from stakeholders.

Since it was first tabled, the draft bill has been analysed both locally and internationally. It has a number of positive features, including its comparatively broad scope, especially the fact that it allocates an oversight role to the independent Commission for Human Rights and Good Governance

Analysis by the Centre for Law and Democracy gave it 91 points on a quick assessment using the global RTI rating, which put Tanzania in 42nd position out of the 102 countries which currently feature on the RTI website.

Likewise, it has a number of weaknesses and fails to come up to the level of many of the newer generations of RTI laws. Among other problems, it suffers from a lack of detail in relation to requesting information. The appeals procedures was also found wanting.

These weaknesses made stakeholders, with support from MPs, prevent the government from tabling the bill the second time this June to allow serious and more meaningful engagement of both parties (government and stakeholders) to ensure that it reflects both national and international standards before it becomes law.

## RATIONALE AND RESEARCH PARAMETERS

This year's "Most Open and Secretive Public Institutions in Southern Africa" research was conducted from 9 to 30 June 2015. Institutions were given 21 days to respond to requests. Some of the request letters were written in Swahili but for the sake of clarity and consistency of the report, they are translated into English.

In Tanzania, eight (8) institutions were studied. The research included the study of their websites and other social media such as Facebook, and their response to requests for information.

The aim of the study was to gauge the openness and difficulties encountered by government institutions in providing information to the public. It involved looking at how they respond to the public who need information, and whether this information was for particular individuals and not everyone. The study looked at whether these public offices provide information without questioning the motives of those requesting it.

The following public institutions were surveyed:

- Ministry of Lands, Housing and Human Settlements Development
- Tanzania Communications Regulations Authority
- National Bureau of Statistics
- Ministry of Natural Resources and Tourism
- The Judiciary of Tanzania
- Ministry of East Africa Corporation
- National Social Security Fund
- National Housing Corporation

The Judiciary of Tanzania was last year's recipient of the Golden Padlock for the Most Secretive public institution in the country. This year it was picked because the study wished to establish whether there had been improvements. The National Bureau of Statistics was last year's Most Open institution and it was again chosen this year to ascertain if it is providing the same level of access as last year.

This year, apart from sending written requests by hand, which were all received except for the Judiciary, who said the letter was not properly addressed to them, all institutions received the same requests via the email addresses displayed on their websites. The emails were sent the same day as hand delivered letters.

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All eight institutions that were surveyed have websites which are working. However, some of them, like the Judiciary of Tanzania's website, did not include items described in the research template like budget and expenditure.
- Some of the websites have got buttons that link to their social media accounts such as Facebook, although many were not active, for example the National Bureau of Statistics.
- Many institutions described the structures and functions of their offices, as well as the laws under which they were established.
- Many displayed updated information on projects undertaken, but the issue of budgets remained a problem since many have out-dated budget reports.

### Category 2: Requests for information

- All the institutions surveyed had their contacts and email addresses on their websites, but not all were active since some of the emails sent failed permanently such as that sent to the Ministry of Lands Housing and Human Settlements Development.
- Modes of responding to requests interestingly differed from one institution to another. There were those who were quick to respond to emails, while others responded by telephone. But there were also those who simply found difficulties with everything and never responded.
- Two of the institutions surveyed, requested the researcher to physically visit their offices and obtain the information needed rather than responding via email or letter. The institutions were the National Housing Corporation and the National Social Security Fund.
- One institution, the National Bureau of Statistics responded to the request for information on the fourth day. They sent an email and a message to the researcher to check the email and visit their website.

- Another institution, the Ministry of Lands, Housing and Human Settlement, answered all questions via the phone when they were called. The Researcher had the chance to ask more questions, and was welcomed to their office for more information.
- Three of the eight institutions did not respond to the questions sent to them or acknowledge receipt. These included the Judiciary of Tanzania, Ministry of Tourism and Natural Resources as well as the Ministry of East Africa Corporation.
- The emails sent to two institutions, the Judiciary of Tanzania and Ministry of Lands, Housing and Human Settlement Development, permanently failed, meaning that the displayed email addresses were not accessible.

## DETAILED FINDINGS

### 1. Ministry of Lands, Housing & Human Settlements Development

#### CATEGORY 1: WEBSITE

<http://www.ardhi.go.tz/>

The website is somewhat attractive. It has recent news and updates, and mentions the functions of the organisation and projects it does. The ministry has a blog (<http://www.ardhi.go.tz/blog/>), which has up-to-date information, the latest posting having been made on 23 June 2015. The website appears in both Swahili and English.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			The website contains current information such as the Minister's speech presented in June about the budget for the year 2015/2016
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			The structure of the organisation begins with the Minister and ends with four divisions; it identifies the responsibilities of the ministry.
b) A list of laws, Acts etc. issued within the scope of its powers?	•			Land laws and Acts District Land and Housing Tribunal Unit
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?			•	The ministry has a Procurement Management unit. It has outlined the functions of the unit and not the procedures for procurement. There is a procurement notice for the year 2014/2015
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	Only the address and no working hours.
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 16/20

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the Ministry of Lands, Housing and Human Settlements Development:

1. There have been grievances from citizens of Tanzania concerning open spaces (special areas for sport) that they are being misused and often given to the rich, how is your office handling this situation?
2. The issue of poor housing planning has been a great challenge in many areas in Tanzania, how does your office ensure the proper planning of the city and other areas to avoid these unnecessary problems?
3. The on going conflict between the farmers and pastoralists has caused a great loss in the nation with respect to human resources and lives of people, what is your office doing to permanently solve this problem?
4. How has your office executed its plans as far as the issues of land, housing and human settlement are concerned in the past two years?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Information Education and Communication unit
2. Did the institution reply within 21 days?	•		•	The information officer called the researcher to acknowledge receipt of the request for information. All the questions were answered over the phone. The researcher got the chance to ask more questions for further elaboration. The information officer was ready to respond to all the questions and welcomed the researcher to the office for more information. He also promised to send an email, which he did not send until the deadline.
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			All questions were answered.
6. Did the institution provide written reasons for the refusal of information?		•		They did not refuse the information.
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?			•	They acknowledged after seven days had passed.
10. Was the information received clear and understandable?	•			All the answers were clear and understandable.

Total Score: 15/20

## 2. Tanzania Communications Regulations Authority (TCRA)

### CATEGORY 1: WEBSITE

<https://www.tcra.go.tz>

The website contains relevant information with respect to the work of the Authority including structures, tenders, scholarships and ICT issues. The details are clear and it is easy to access the information. It is not hard to view the tabs in the website. The authority has a Facebook page (<https://www.facebook.com/TCRA1>) although the last post was of Feb 2015. It also has a twitter account ([https://twitter.com/tcra\\_](https://twitter.com/tcra_)) which had new tweets.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?			•	The last report was of June 2011, not the current one.
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?			•	There was this note: "There are no vacancies at the moment, Kindly Check back later"
g) The address, telephone number, and working hours of the institution?			•	No working hours
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 17/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to the Tanzania Communications Regulations Authority:

1. What are the laws guiding the broadcasting sector in Tanzania?
2. What is your role when it comes to broadcasting content because some of them are really irrelevant to our communities?
3. Currently there has been a mushrooming of blogs in Tanzania; many of them are misused to insult people and ruin their reputation. What is the role of your office to protect people from all the cyber bullying and insults?
4. If someone has a problem with a certain broadcasting medium (Radio or TV) where can he or she address those issues?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			The researcher called the office to follow-up on the email and the letter, which was sent during the course of the research. The recipient of the call promised to look for it and send it to the respected person -Communications Officer.

n = 20	Yes	No	Partial	Additional Information
2. Did the institution reply within 21 days?	•			On the 13th day they sent an email to show the researcher the website links where he could obtain answers to the questions. The links were: <a href="https://www.tcra.go.tz/index.php/complaints">https://www.tcra.go.tz/index.php/complaints</a> <a href="https://www.tcra.go.tz/index.php/legislation">https://www.tcra.go.tz/index.php/legislation</a> <a href="https://www.tcra.go.tz/index.php/regulations">https://www.tcra.go.tz/index.php/regulations</a> The links provided the information needed.
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			They responded by giving the links to their website so as to find the answers to the questions posed.
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.	•			They provide information about their structure and operations but their budget is for 2011.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?			•	They acknowledged after seven days had passed.
10. Was the information received clear and understandable?	•			

**Total Score: 13/20**

## 3. National Bureau of Statistics

### CATEGORY 1: WEBSITE

<http://www.nbs.go.tz/>

The website has a lot of data and information about statistics in Tanzania, for example, the census, different statistical reports, and policies. The bureau has a Facebook page (<https://www.facebook.com/pages/National-Bureau-of-Statistics-Tanzania/1495884817315060?ref=fbs>) but it is inactive.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	No working hours although other information is present.

n = 20	Yes	No	Partial	Additional Information
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 15/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to National Bureau of Statistics (NBS):

- How many Tanzanians did the last census find? Some say 45 million, others say 49 million, what is the correct figure?
- What are the strategies to ensure the research and the facts found help the government to solve common problems?
- Which specific statistics have helped to make a positive impact on the Tanzanian community?
- How is your office ensuring all the researchers stick to their professional ethics as researchers?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			All questions have to be directed to the Director General.
2. Did the institution reply within 21 days?	•			The institution replied on the fourth day after the questions were sent. They answered via email and sent the researcher a message to check the email had been received as well as the link to their website for more information.
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			The questions had to be sent to the Director General first and then allocated to the specific unit or department for a response.
7. Did the institution disclose information about its operations, budgets, structure etc.			•	Only the information about operations and structure and not the budget.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

**Total Score: 17/20**

#### 4. Ministry of Natural Resources and Tourism

##### CATEGORY 1: WEBSITE

<http://www.mnrt.go.tz>

The website is attractive and easy to access information from. It has information of different institutions and agencies that the ministry works with as well as reports, press releases and up-to-date information. The ministry has a Facebook page (<https://www.facebook.com/pages/Ministry-of-Natural-Resources-and-Tourism-Tanzania/214617361925291-It>) which is updated and a twitter account at (<https://twitter.com/mnrt>) that is not active at all.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?			•	Only for Tourism Registration and Licensing System (TORLIS).
f) Vacancy and employment procedures?			•	
g) The address, telephone number, and working hours of the institution?			•	It is out dated and related to 2014
h) The contact details of specific public officials?	•			No working hours
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 17/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to Ministry of Natural Resources and Tourism:

- There has been instances of killing animals, such as elephants, giraffe and others in our national parks, what is your office doing to tackle this problem?
- What are the strategies put in place by your office to ensure the safety of animals in the national parks and game reserves?
- Domestic tourism is not so common among many Tanzanians since most of them do not visit their national parks and tourist sites, what does your ministry do to promote domestic tourism?
- Apart from the issues of poaching? What other critical issues are facing the tourism sector in Tanzania?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Yes, the information unit
2. Did the institution reply within 21 days?		•		There was no response at all, despite the fact that the questions were sent via email and delivered physically.

n = 20				
	Yes	No	Partial	Additional Information
3. Did the institution respond to the request for information?		•		There was no response to both the hand-delivered letter and the email, which bounced back despite sending it to the address on the website. When the letter was hand-delivered to the ministry, the person who received it refused to sign for it or give the office telephone number, insisting that the letter would be responded to because it had been received. The institution did not respond to the calls made using the displayed official numbers on the website.
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?			•	The lady who received the request acknowledged verbally, that it had been received although there was no formal acknowledgement from those responsible.
10. Was the information received clear and understandable?		•		

**Total Score: 3/20**

## 5. Judiciary of Tanzania

### CATEGORY 1: WEBSITE

<http://www.judiciary.go.tz>

The website contains information concerning the Judiciary such as rulings, amendments of the laws, functions of the judiciary, the Constitution of Tanzania and court issues. It is among the most updated sites. However, financial information is not displayed on the website. The website can be accessed in both Swahili and English and it has links to other local and international sources.

n = 20				
	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			Registrar of the respected court.
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			There are many laws within their scope of power
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		There were no budgets for their office that were displayed on the website.
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?	•			

n = 20				
	Yes	No	Partial	Additional Information
g) The address, telephone number, and working hours of the institution?			•	No working hours
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 15/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Judiciary of Tanzania:

- What is the budget for your institution for the past two years?
- The issue of case delays has been a big challenge to the Judiciary of Tanzania, what is the mechanism to reduce these cases?
- How does the government ensure cases remain corruption free, especially after reaching the judicial stage?
- There has been a shortage of Magistrates/Judges, thus leading to delays in many court cases. How have your offices addressed this?

n = 20				
	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			There are contacts of different officials but not specifically for information requests.
2. Did the institution reply within 21 days?	•			The office was called after the first seven days without success.
3. Did the institution respond to the request for information?	•			There was no response at all.
4. Does the authority publish their procedures for dealing with information requests?	•			
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?	•			The letter sent was rejected by the registry on the ground that it was not properly addressed. However, the same letter was sent via email on the 10th and did not bounce back, which means it was delivered.
10. Was the information received clear and understandable?	•			No answers were received.

**Total Score: 2/20**

## 6. Ministry of East Africa Corporation Tanzania

### CATEGORY 1: WEBSITE

[www.meac.go.tz](http://www.meac.go.tz)

The website contains up-to-date information such as summits of the east African countries, as well as forums and resolutions. It contains the mission, mandate, and client charter of the corporation, as well as the core values of the ministry. It has a Facebook page, <https://www.facebook.com/MEACTZ>, which does not have up-to-date information. The Ministry's Twitter account <https://twitter.com/meacTz> also does not have up-to-date information, only one tweet so far. The website is in Swahili and English.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?			•	Only protocols and strategies of the EAC.
c) Reports, policies, programmes?			•	Posted on January 2015
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?			•	There is a link for the procurement notices for all the EAC countries. <a href="http://www.meac.go.tz/?q=tenders">http://www.meac.go.tz/?q=tenders</a>
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	No working hours
h) The contact details of specific public officials?			•	The contact details of the ministry at large.
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

**Total Score: 14/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### The following questions were sent to Ministry of East Africa Corporation Tanzania:

- Why are Tanzanians worried about jobs and land when it comes to EAC?
- How does Tanzania stand to benefit from the EAC Common Market?
- Recently there have been incidences of Kenyan authorities sending back students who study in the border region of Arusha (the researcher saw on TV) as retaliation to Tanzania for sending back Kenyans living here illegally. How does the ministry address this matter?
- What does it take to be an EAC Legislative Assembly member of parliament?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Information officer
2. Did the institution reply within 21 days?		•		The institution was contacted after the seventh day, but there was no response from the number called.
3. Did the institution respond to the request for information?		•		There was no response and no acknowledgement of receiving the questions.
4. Does the authority publish their procedures for dealing with information requests?		•		

n = 20	Yes	No	Partial	Additional Information
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

**Total Score: 2/20**

## 7. National Social Security Fund (NSSF)

### CATEGORY 1: WEBSITE

<https://www.nssf.or.tz>

The website contains information such as reports, the structure of the organisation and the different benefits of the social security fund. It shows different kinds of membership and how to contribute to the fund. It shows different schemes that the organisation has, as well as its membership. It has a Facebook page called <https://www.facebook.com/pages/NSSF-Tanzania/839100109437675?sk=info> and the twitter handle of <https://twitter.com/nssftz>.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	x			
b) A list of laws, Acts etc. issued within the scope of its powers?	x			
c) Reports, policies, programmes?			x	The last report was in 2010/2011. There are some Newsletters from 2013
d) Budget and expenditure?			x	The financial report is not current, It is from 2011.
e) Information about procurement procedures, signed contracts?	x			
f) Vacancy and employment procedures?	x			
g) The address, telephone number, and working hours of the institution?			x	No working hours
h) The contact details of specific public officials?	x			There is a call centre number
i) A mechanism to request and receive a response to electronic messages and requests for information?	x			

**Total Score: 17/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to the National Social Security Fund:

1. What are the benefits of your social security fund?
2. How many pensions do you offer to your members?
3. How does your office help those who are retired after they have received their pensions?
4. How does this security fund help economic growth in Tanzania and those with low incomes?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			All questions were sent to the Director General and he in turn sent them to the appropriate department. When the researcher asked the one responsible for communication, who the Director was? He was asked why he wanted to know him. What were the reasons for wanting to know the DG?
2. Did the institution reply within 21 days?	•			After calling them to check if they received the letter they requested the researcher to visit their office for a discussion, as they would not respond to the questions via email or letter.
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			The researcher visited their office and they responded to all the questions.
6. Did the institution provide written reasons for the refusal of information?	•			All questions were sent to the Director General, who in turn sent them to the appropriate department.
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?			•	They asked if the researcher was a student or researcher. They wanted to know why the researcher requested the information.
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?	•			

**Total Score: 13/20**

## 8. National Housing Corporations (NHC)

### CATEGORY 1: WEBSITE

<http://www.nhctz.com>

It is an active and attractive website. The website has a lot of information concerning its activities, the projects and houses built by NHC. It tells you about the places they operate from, the structure of the organisation and the laws and acts under which they operate. The institution has a Facebook page at (<https://www.facebook.com/nhctz>) and it has current information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?			•	
d) Budget and expenditure?			•	
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			They show that there are no vacancies for now.
g) The address, telephone number, and working hours of the institution?			•	No working hours
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 18/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to the National Housing Corporations:

- How can a common Tanzanian have his/her own house built by NHC?
- How does your office ensure the proper payment of rent from your tenants/clients? What is the mechanism to collect it?
- Who are the most NHC clients/tenants, and why so?
- Rumour has it that, houses built by NHC are for those who are well off. Is that true? If not, how do you demystify this myth?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			NHC Ambassador
2. Did the institution reply within 21 days?	•			They acknowledged receiving the letter and asked the researcher to visit their office to get the information needed or visit their website.
3. Did the institution respond to the request for information?	•			They responded within seven days.
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			When the researcher visited their office, the researcher was able to ask additional questions.
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.	•			
8. Did the authority provide information without questioning the aims and motivations of the applicant?				
9. Did the institution acknowledge your request for information within 7 days?				They acknowledged on the fourth day.
10. Was the information received clear and understandable?	•			

**Total Score: 18/20**

## SUMMARY IN NUMBERS

Institution	Website	Request for information	Total score
Ministry of Lands Housing And Human Settlements Development	16	15	31
Tanzania Communications Regulations Authority (TCRA)	17	13	30
National Bureau of Statistics ( NBS)	15	17	32
Ministry of Natural Resources and Tourism	17	3	20
The Judiciary of Tanzania	15	2	17
Ministry of East Africa Corporation Tanzania	14	02	16
National Social Security Fund (NSSF)	17	13	30
National Housing Corporations (NHC)	18	18	36

## RESEARCH CONCLUSIONS

This year's study included the best and poorest performers of the previous study. The questions were sent via email and physically delivered to ensure institutions received them. The researcher failed in reaching some of the email addresses displayed on websites, and mail sent physically to organisations was more likely to receive a response.

Some institutions did not respond to the questions sent to them even after calls to remind them were made, while others responded within seven (7) days, such as the National Housing Corporations and the National Bureau of Statistics. It was easy to access information from these two institutions, as well as the National Social Security Fund, although others remained difficult. Some offices found it easier to share information, while others asked many questions about why the information was needed.

## THE MOST SECRETIVE PUBLIC INSTITUTION IN TANZANIA

The 2015 recipient of the Golden Padlock award for the Most Secretive Public Institution is the **Ministry of East Africa Cooperation**.

## THE MOST OPEN PUBLIC INSTITUTION IN TANZANIA

The 2015 recipient of the Golden Key for the Most Open Public Institution is the **National Housing Corporations (NHC)**.

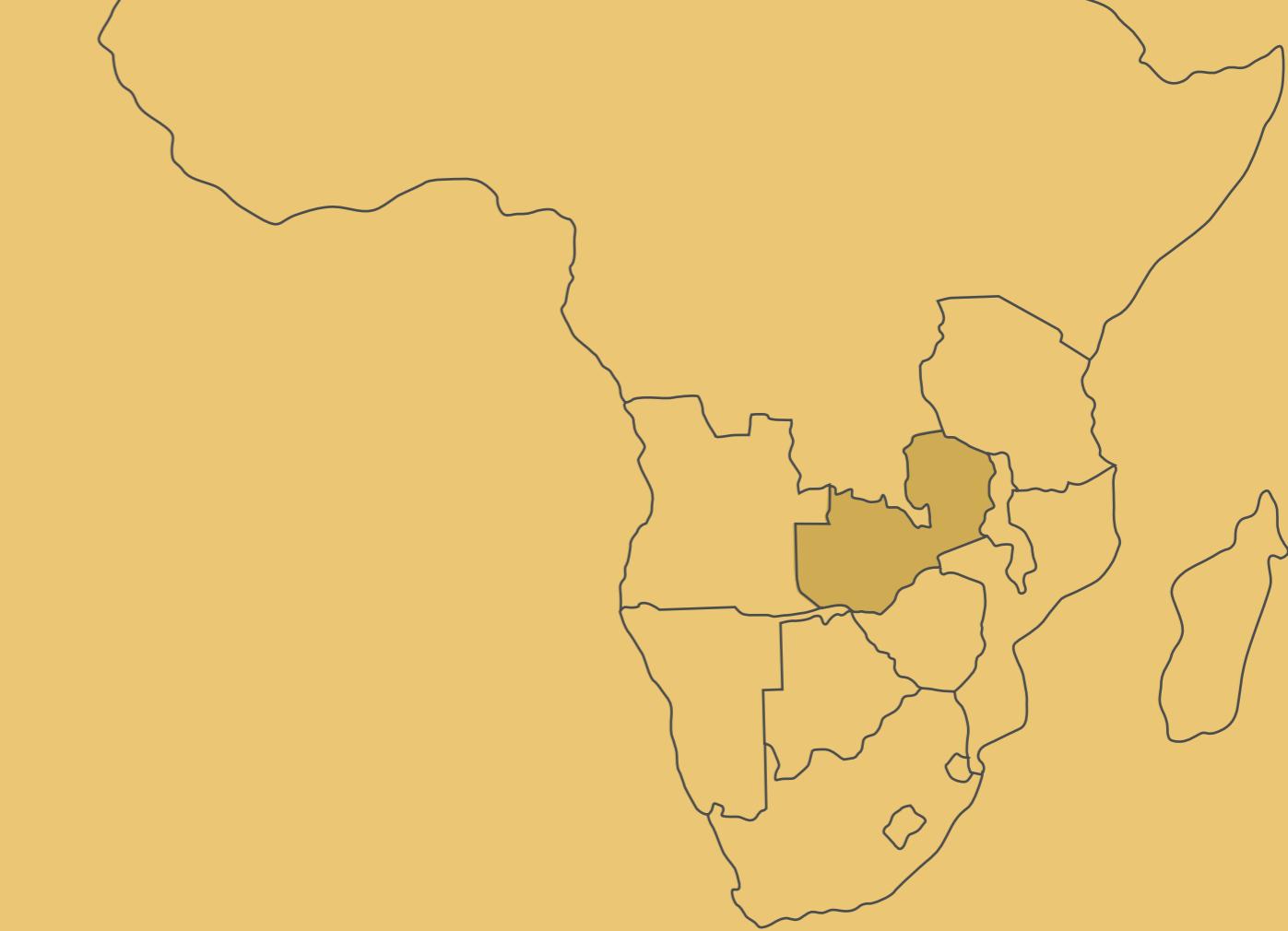
## RECOMMENDATIONS

Public institutions spend money collected from taxpayers, and make decisions that can significantly affect many people's lives. Access to information helps the public make public authorities accountable for their actions and allows for more informed and productive public debates.

Significant steps have been taken by the government to ensure that a more open society is created by signing international treaties and programmes that can lead to openness in public institutions. In addition, the government has dared to establish a law on Access to Information despite its shortfalls.

Analysts say unnecessary secrecy in government leads to arrogance in governance and defective decision-making.

There is no doubt that access to official information can improve public confidence and trust, if government and public sector bodies are seen as open and transparent.



## ZAMBIA

2015 Report on Open & Secretive Public Institutions in Zambia

## INTRODUCTION

Although far from the ideal media environment Zambians would like to see, the media in Zambia has been freer than it was in the 27-years rule, from 1964 to 1991, of Dr Kenneth Kaunda, the country's first President and his UNIP (United National Independence Party).

Zambians now have access to competing and dissenting views. The private press has taken up the role of public watchdog, and defender of freedom and truth. Access to the media has improved remarkably. However, despite these newfound freedoms, access to the media remains limited because of illiteracy, poverty, inability to afford newspapers, and the high costs of radio and television and the Internet.

Freedom of expression is expressly guaranteed under Article 20 of the Zambian Constitution. The Constitution does not specifically guarantee press freedom although there have been representations for such explicit provisions.

Every successive Zambian government continues to promise that they remain committed to tabling the Freedom of Information (FOI) Bill now known as the Access to Information (ATI) Bill in parliament but many are now aware that it is a political gimmick or campaign strategy.

The Minister of Information and Broadcasting Services, Mr Chishimba Kambwili also stated that government would like to open up and allow citizens to have access to information, but he explained that he is concerned that "some media" organisations are engrossed in making it fail instead of providing credible checks and balances.

President Edgar Lungu also reiterated his minister's sentiments saying that he was thinking twice about Zambia enacting an ATI law because of the conduct of some media practitioners.

This was a few days after the Minister of Information, Mr Kambwili had stated in his speech on Africa Freedom Day, May 25 that the Bill had been put before the Attorney General. "Clearly the country is not ready to handle media freedom," the head of State claimed, "because of irresponsible reporting by some media houses and journalists".

Prior to the 2015 elections the then Minister of Information Dr Joseph Katema said "Government has progressively continued to build an environment where the media, who are partners in development, will freely and responsibly collect and disseminate information to the public." He promised that government would not regulate or muzzle the media.

The Jesuit Centre for Theological Reflection (JCTR) says enactment of an ATI law will enhance citizens' participation in national matters and encourage accountability and transparency in the use of public resources.

According to the Law Association of Zambia (LAZ), the purpose of an ATI law is to increase the capacity of ordinary citizens' participation in the governance of the country through making informed decisions based on available information.

This would in turn enhance the transparency and accountability of government for the betterment of all Zambians. Enactment of an ATI law would accord Zambians the freedom to know how the government is conducting their affairs.

The reluctance by the Patriotic Front government to enact the ATI law is entirely based on the premise that they feel that the law will be used as "a tool to infiltrate" or even "spy" on them.

Zambians have the right to know how the tax payer's money is used by government. Misappropriation of funds is a major concern, thus citizens hope that enacting the bill will prevent the misuse of funds by those in government.

## RATIONALE AND RESEARCH PARAMETERS

The research was conducted to assess how easy or difficult it is for Zambians to access information from public institutions and government departments that play a vital role in the country's economy and development. It also sought to examine how these public institutions respond to requests for information by the public and how long it took for these institutions to respond to such requests.

Eight (8) public institutions were indiscriminately selected for this survey conducted from 15 to 26 June 2015.

The following public institutions were surveyed:

1. The Electoral Commission of Zambia
2. The Ministry of Agriculture and Livestock Services
3. The Ministry of Mines, Energy, and Water Development
4. The Ministry of Transport, Works, Supply and Communications
5. The Ministry of Local Government and Housing
6. The Ministry of Gender and Child Development
7. The Zambia Public Procurement Authority
8. The Zambia Bureau of Standards

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All eight institutions selected for the survey have websites.
- Out of the eight institutions only the Electoral Commission of Zambia and the Zambia Public Procurement Authority have updated information, the rest have either outdated information or it is not updated regularly.
- Institutions such as the Electoral Commission of Zambia, Zambia Bureau of Standards and Zambia Public Procurement Authority have a presence on social media such as Facebook and twitter. The Facebook pages have up-to-date information and are updated frequently
- The websites for the Ministry of Mines, Energy and Water Development have a lot of unresponsive links and blank pages. The Ministry of Energy and Water Development was merged with the Ministry of Mines, but this is not clear from the website.

### Category 2: Requests for information

- The Ministry of Local Government and Housing responded to the written request for information upon receiving it. Mr. Hamulyata who is stationed in the administration department responded to the requests verbally. He also offered to provide the responses in writing the following day.
- The Secretary to the Permanent Secretary in the Ministry of Gender and Child Development confirmed the letter was received at the registry but was misplaced. She offered to trace it and upon finding it she would contact the researcher before June 25. However, she did not live up to her word as there was nothing forthcoming from her or the ministry.
- The Electoral Commission of Zambia when contacted said there was no record of the letter in their registry. However, the researcher received an email from the Public Relations Manager, Mr Cris Akufuna, acknowledging receipt of the request for information. The response with answers in writing came from the mail that was sent using their email provided on the website.
- The Ministry of Agriculture and Livestock Services also misplaced the letter requesting for written information. They asked the researcher to take another copy of the letter. The secretary to the Permanent Secretary had initially intimated that the letter might have been sent to the Agriculture business department.

- The Director of Mines at the Ministry of Mines, Energy and Water Development referred the researcher to a Mr Choolwe, an engineer in the mines department. He responded to the written requests for information verbally but in detail. He made reference to the mines and minerals acts and policies. He also offered to give written responses after he had highlighted the important parts of the acts and policies that had all the information about illegal mining. However, he insisted on knowing what the researcher needed the information for, and why.
- The Ministry of Transport, Works, Supply and Communications misplaced the letter of request for information. The secretary to the Permanent Secretary confirmed that the letter had been misplaced.
- When the researcher identified himself at The Zambia Bureau of Standards, the receptionist put him through to the Information Officer a Mr. Mukuka but he did not pick up the call.
- The Zambia Public Procurement Authority did not respond or acknowledge the request for information. However, when a follow-up was made, a Ms Silvia from the registry office confirmed the letter had reached the director's office but it had not been attended to as he was out of office.

## DETAILED FINDINGS

### 1. Zambia Bureau of Standards (ZABS)

#### CATEGORY 1: WEBSITE

<http://zabs.org.zm/>

The website is not updated regularly. Some links are not responsive and some pages are unavailable.

The bureau has a Facebook page that has 7,376 thousand followers and the last update was posted on 28 May 2015. The Facebook page is frequently updated compared to the website.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	The site does not contain up-to-date information, whereas the Facebook page has some current information.
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?			•	There are only two bidding documents for purchase of equipment.
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?			•	
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

**Total Score: 10/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

**The following questions were sent to the Zambia Bureau of Standards (ZABS):**

1. What procedures should I follow in order for my products to be certified?
2. What is the cost for these procedures?
3. How long does the whole process take?
4. What penalties are instituted by ZABS on manufacturers or retailers who produce and distribute products that are not certified or do not meet the standards set by the bureau?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Information Education and Communication unit
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		

n = 20	Yes	No	Partial	Additional Information
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 2/20**

### 2. Ministry of Gender and Child Development (MGCD)

#### CATEGORY 1: WEBSITE

[www.mgcd.gov.zm/](http://www.mgcd.gov.zm/)

The website has not been updated in a long time. Its contents are outdated. The site is user-friendly. The ministry has an unofficial Facebook page that does not contain any important updated information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	The site only has an email address.
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			The Captcha option is unresponsive. Only becomes active when the cursor is placed over it, and one cannot enter text.

**Total Score: 7/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

**The following questions were sent to Ministry of Gender and Child Development.**

1. Has the ministry done any mapping on rape and defilement to find out which part of the country has the highest figures in terms of rape and defilement cases?
2. With respect to the budgetary allocation to MGCD, does the ministry feel that the budget allocation is adequate to cover the costs for the rape, defilement and gender-based violence?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	The request was forwarded to the Permanent Secretary.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 1/20**

### 3. Ministry of Mines, Energy and Water Development (MMWD)

#### CATEGORY 1: WEBSITE

[www.mewd.gov.zm/](http://www.mewd.gov.zm/)

This website does not contain updated information about the ministry. The current ministry is a merger between two ministries and yet the site still bears the former name of the Ministry of Energy and Water Development. It does not contain important information about the Department of Mines. Some pages on the site are blank. This ministry has no following on social media.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	The links to each of the departments lead to blank pages on the website. There is no information or description and responsibilities of each department in the ministry.
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 3/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the Department of Mines and Minerals Development:

1. How does the ministry deal with the issue of illegal mining?
2. Approximately how much revenue is lost to government as a result of illegal mining activities?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	The Director of Mines forwarded the request to Mr. Choolwe who is an engineer in the ministry.
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?			•	
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?			•	
7. Did the institution disclose information about its operations, budgets, structure etc.			•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?			•	
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

**Total Score: 1/20**

### 4. Zambia Public Procurement Authority (ZPPA)

#### CATEGORY 1: WEBSITE

[www.zppa.org.zm](http://www.zppa.org.zm)

The website contains updated information and is user friendly. It contains all the necessary and vital information. This institution has a Facebook page with 1,019 followers.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?			•	
d) Budget and expenditure?				•
e) Information about procurement procedures, signed contracts?				•
f) Vacancy and employment procedures?				•
g) The address, telephone number, and working hours of the institution?				•
h) The contact details of specific public officials?			•	
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

**Total Score: 8/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to the Zambia Public Procurement Authority

- I recently established a construction company; However, I am facing a few challenges in bidding procedures and am hoping that your organisation would assist me.
- I would like to find out what the procedure is in bidding for government tenders? Secondly what is the criterion used for awarding tenders to local companies?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?			•	Letters and proposals are sent to the director.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?				

Total Score: 3/20

## 5. Ministry of Local Government and Housing (MLGH)

### CATEGORY 1: WEBSITE

[www.mlgh.gov.zm/](http://www.mlgh.gov.zm/)

The website does not have current information and is not updated regularly. The ministry has no presence on social media.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?	•			
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 8/20

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to the Ministry of Local Government and Housing.

- What measures has government put in place to deal with councils that are misusing the constituency development funds?
- What happens to councils that do not fully utilise the funds previously allocated to them before the next disbursement is given to them?
- Why did the ministry replace the constituency development fund that was misused in Chongwe when they were fully aware of the individuals responsible for the misuse of the funds?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?		•		Letters and proposals are sent to the director.
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?	•			
6. Did the institution provide written reasons for the refusal of information?	•			
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?	•			

Total Score: 12/20

## 6. Ministry of Agriculture and Livestock Services (MALS)

### CATEGORY 1: WEBSITE

[www.agriculture.gov.zm/](http://www.agriculture.gov.zm/)

The website has an eye catching home page with a message from the minister. However, it is not updated regularly. The ministry has no presence on social media.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 4 /20

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to Ministry of Agriculture and Livestock Services.

1. Ever since its implementation in the 2002/2003 farming season how successful has the Famer Input Support Programme been? Are there any notable success stories that can be shared with other small scale farmers? And have there been any complaints from farmers about the lack of progression under the programme since its inception?
2. How is the Famer Input Support Programme benefiting small-scale farmers?
3. How many small-scale farmers are going to benefit from the Famer Input Support Programme in the 2015-2016 farming season?
4. Has any research been done to prove if small-scale farmers are actually benefiting from this programme?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			Letters and proposals are sent to the director.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?		•		

**Total Score: 4/20**

## 7. Ministry of Transport, Works, Supply and Communications (MTWSC)

### CATEGORY 1: WEBSITE

[www.mtwsc.gov.zm/](http://www.mtwsc.gov.zm/)

The website contains up-to-date information, though some links are not responsive. The ministry has no presence on social media.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			The site does not indicate the working hours of the institution.

n = 20	Yes	No	Partial	Additional Information
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 8 /20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### The following questions were sent to the Ministry of Transport, Works, Supply and Communications.

1. The state of the Great East Road is putting motorists at risk, due to the unfinished works, I would like to find out why the rehabilitation works are taking so long to complete?
2. The poor drainage system in the city of Lusaka?
3. How many road construction tenders have been awarded to local contractors by the Road Development Agency in the last 10 years?
4. In relation to the link 8000 and pave 4000 projects, how much work has been done so far and how much has been spent on those projects respectively?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?		•		My request was forwarded to the planning office.
2. Did the institution reply within 21 days?		•		
3. Did the institution respond to the request for information?		•		
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?		•		
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•		
9. Did the institution acknowledge your request for information within 7 days?	•			
10. Was the information received clear and understandable?		•		

**Total Score: 3/20**

## 8. The Electoral Commission of Zambia (ECZ)

### CATEGORY 1: WEBSITE

[www.elections.org.zm](http://www.elections.org.zm)

The ECZ website is user friendly and contains up-to-date information. It has an appealing look. The ECZ also has a Facebook page with 25,000 followers and has 714 followers on twitter.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?		•		The site only has a link for vacancies, but it does not have anything on employment procedures.
g) The address, telephone number, and working hours of the institution?	•			The site does not indicate the institutions working hours.
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			A request for information was sent using the mechanism, but there was no response after 7 working days

**Total Score: 15 /20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the Electoral Commission of Zambia.

1. I would like to know how much the ECZ spent on the 2015 presidential elections.
2. What criteria are being used to select polling station officials for the 2016 general elections?
3. In the last election women with nail polish were turned back, what precautionary measures have been put in place so that women are not disenfranchised in the 2016 elections?
4. There was a lot of voter apathy in the previous elections, has anything been done to avoid the same problem in the 2016 general elections?

n = 20	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			My request was forwarded to the planning office.
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?			•	
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 9/20**

## 8. The Electoral Commission of Zambia (ECZ)

#### CATEGORY 1: WEBSITE

[www.elections.org.zm](http://www.elections.org.zm)

The ECZ website is user friendly and contains up-to-date information. It has an appealing look. The ECZ also has a Facebook page with 25,000 followers and has 714 followers on twitter.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?	•			
f) Vacancy and employment procedures?			•	The site only has a link for vacancies, but it does not have anything on employment procedures.
g) The address, telephone number, and working hours of the institution?	•			The site does not indicate the institutions working hours.
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			A request for information was sent using the mechanism, but there was no response after 7 working days

**Total Score: 15 /20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### The following questions were sent to the Electoral Commission of Zambia.

1. I would like to know how much the ECZ spent on the 2015 presidential elections.
2. What criteria are being used to select polling station officials for the 2016 general elections?
3. In the last election women with nail polish were turned back, what precautionary measures have been put in place so that women are not disenfranchised in the 2016 elections?
4. There was a lot of voter apathy in the previous elections, has anything been done to avoid the same problem in the 2016 general elections?

n = 20

	Yes	No	Partial	Additional Information
1. Is there an official designated to take and respond to information requests?	•			My request was forwarded to the planning office.
2. Did the institution reply within 21 days?	•			
3. Did the institution respond to the request for information?	•			
4. Does the authority publish their procedures for dealing with information requests?		•		
5. Did the institution provide all of the information requested?			•	
6. Did the institution provide written reasons for the refusal of information?		•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•			
9. Did the institution acknowledge your request for information within 7 days?		•		
10. Was the information received clear and understandable?		•		

**Total Score: 9/20**

## SUMMARY IN NUMBERS

Institution	Website	Request for information	Total score
The Electoral Commission of Zambia (ECZ)	15	9	24
Ministry of Agriculture and Livestock Services (MALS)	4	4	8
Ministry of Mines, Energy and Water Development (MMEWD)	3	11	14
Ministry of Transport, Works, Supply and Communications(MTWSC)	8	3	11
Ministry of Local Government and Housing(MLGH)	8	12	20
Ministry of Gender and Child Development(MGCD)	7	1	8
Zambia Public Procurement Authority (ZPPA)	8	3	11
Zambia Bureau of Standards (ZABS)	10	2	12

## RESEARCH CONCLUSIONS

Information held by public institutions is not easily accessible by Zambians, this is clearly reflected in the findings of this year's study. Of the eight (8) institutions surveyed, only three responded to the requests for information and these were the ministries of Local Government and Housing, Mines, Energy and Water Development and the Electoral Commission of Zambia.

The Ministries of Agriculture and Livestock Services, Ministry of Gender and Child Development and the Zambia Bureau of Standards all misplaced the letters requesting written information. The Electoral Commission of Zambia and the Zambia Bureau of Standards were the only institutions surveyed that had officials designated to respond to requests of information.

## THE MOST SECRETIVE PUBLIC INSTITUTION IN ZAMBIA

The Ministry of Agriculture and Livestock Services (MALS) and The Ministry of Gender and Child Development (MGCD) had the lowest scores, both did not acknowledge and respond to requests for information, however, the Ministry of Gender and Child Development has no presence on social media, as well as having a website that is not updated frequently.

Therefore, the most secretive institution in Zambia is the **Ministry of Gender and child Development**.

## THE MOST OPEN PUBLIC INSTITUTION IN ZAMBIA

The most open institution is the Electoral Commission of Zambia followed by the Ministry of Local Government and Housing. Local Government verbally responded to the request for information, but did not provide written responses.

The Electoral Commission had the highest score, which can be attributed to their website which is updated regularly with very useful information and their presence on social media. The Electoral Commission of Zambia responded to the request for information through the email mechanism provided on its website.

Therefore the most open public institution is the **Electoral Commission of Zambia**.

## RECOMMENDATIONS

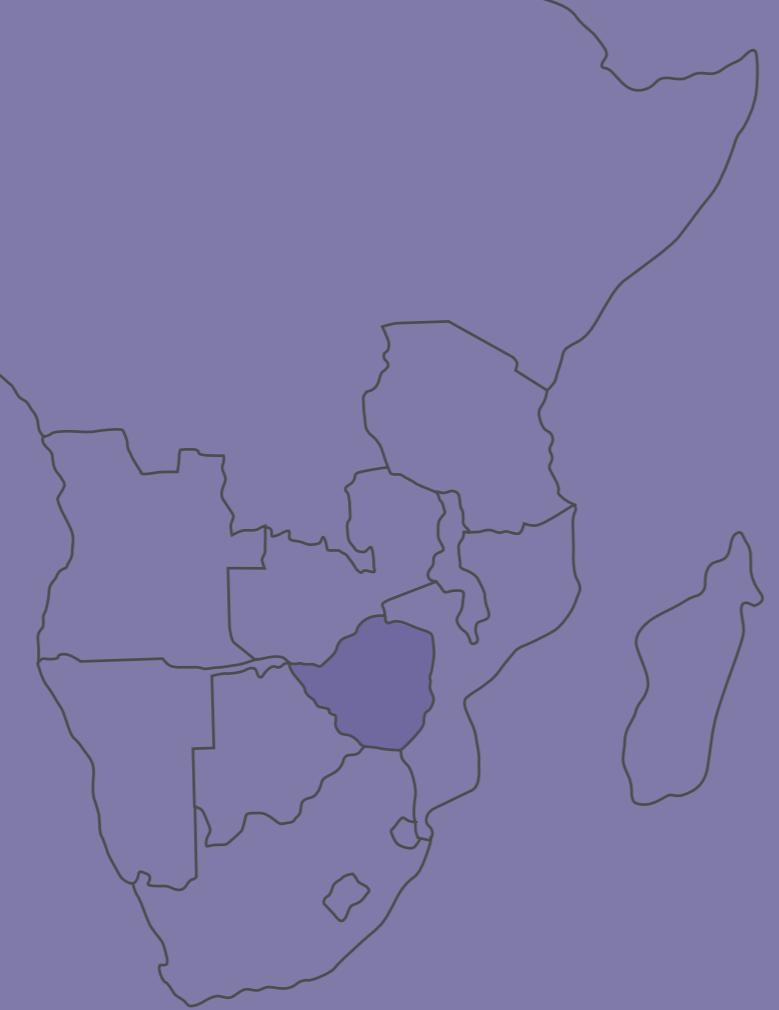
Social media networks are fast becoming powerful and effective platforms for information dissemination, therefore public institutions must be active on social media. Institutions must be able to provide information easily and readily, as the majority of citizens increasingly use social media. Public Institutions must have effective communication provisions on social media and conventional mail mechanisms to respond to information requests.

Information Officers/Public Relation Officers should be trained officers who are responsible for the timely provision of information to the public, as well as ensuring that websites are constantly updated. Public institutions should invest in new communication technologies that will allow the public to access information regardless of where they are.



# ZIMBABWE

2015 Report on Open & Secretive  
Public Institutions in Zimbabwe



## INTRODUCTION

In 2015, a government commissioned Information Media Panel of Inquiry Report acknowledged serious shortcomings in the media-operating environment in Zimbabwe. Among the many recommendations of the report, there was a specific call for the reform and or repeal of the Access to Information and Protection of Privacy Act of 2002 (AIPPA), which makes access to information for both the media and ordinary citizens cumbersome.

It is generally acknowledged that many public officials shield themselves from public scrutiny by using provisions of AIPPA to frustrate efforts by citizens and the media to access information. The findings of the Media Panel of Inquiry Report made it clear that the access to information environment in the country needs government intervention and the reform of laws accordingly.

However, the government continues to drag its feet in aligning these old laws with the new constitution, which has been in existence for two years. The report which was spearheaded by the Ministry of Information is now gathering dust in government offices with no sign of recommendations being implemented.

The new constitution guarantees freedom of expression and access to information. Government has repeatedly said that it has more than 400 laws to align with the new constitution and this will take time.

Sections 61 and 62 of the new constitution are more comprehensively crafted when compared to the former Lancaster House Constitution. Under the 2013 constitution the following rights are explicitly guaranteed:

### 61 Freedom of expression and freedom of the media:

- (1) Every person has the right to freedom of expression, which includes:
  - (a) Freedom to seek, receive and communicate ideas and other information;
  - (b) Freedom of artistic expression and scientific research and creativity; and
  - (c) Academic freedom.
- (2) Every person is entitled to freedom of the media, which freedom includes protection of the confidentiality of journalists' sources of information.
- (3) Broadcasting and other electronic media of communication have freedom of establishment, subject only to State licensing procedures that are:
  - (a) Necessary to regulate the airwaves and other forms of signal distribution; and
  - (b) Independent of control by government or by political or commercial interests.
- (4) All State-owned media of communication must be:
  - (a) Free to determine independently the editorial content of their broadcasts or other communications;
  - (b) Impartial; and
  - (c) Afford fair opportunity for the presentation of divergent views and dissenting opinions.

- (5) Freedom of expression and freedom of the media do not include:
  - (a) Incitement to violence;
  - (b) Advocacy of hatred or hate speech;
  - (c) Malicious injury to a person's reputation or dignity; or
  - (d) Malicious or unwarranted breach of a person's right to privacy.

### 62 Access to information

- (1) Every Zimbabwean citizen or permanent resident, including the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level, in so far as the information is required in the interests of public accountability.
- (2) Every person, including the Zimbabwean media, has the right of access to any information held by any person, including the State, in so far as the information is required for the exercise or protection of a right.
- (3) Every person has a right to the correction of information, or the deletion of untrue, erroneous or misleading information, which is held by the State or any institution or agency of the government at any level, and which relates to that person.
- (4) Legislation must be enacted to give effect to this right, but may restrict access to information in the interests of defence, public security or professional confidentiality, to the extent that the restriction is fair, reasonable, necessary and justifiable in a democratic society based on openness, justice, human dignity, equality and freedom.

There still exists legislation that is clearly inconsistent with these new provisions. Notable among such laws is the Official Secrets Act of 1970, which makes it difficult for citizens and the media to access information held by government and public institutions. Another pertinent law is the Public Order and Security Act 2002 (POSA), which restricts freedom of association and freedom of assembly.

The preamble of AIPPA states that the public have the right to access records and information held by public bodies, as well as affording the public the right to request the correction of misrepresented personal information.

However, the opposite is true, as the law takes away more than it gives. Under AIPPA, applicants seeking records or information held by a public body should request the information in writing and, in many cases, pay a fee to access the records. The head of the public body is given up to 30 days to respond. He or she is allowed to refuse to grant the requested information where it is deemed the information sought is not in the public interest. If the information involves a third party, the head of the public institution is allowed 30 more days to consult the third party before responding to the request. However, the head of a public body may refuse all or part of a request for access to information, in which case he or she has to give the applicant reasons for such refusal.

In the event the applicant feels aggrieved by the decision not to grant information, he or she may ask the commissioner to review

the public body's decision. In essence, this constitutes a mere review process that does not guarantee that the application will be able to access the requested information. In fact, it actually makes the process of accessing information more cumbersome and complex.

The process is unnecessarily bureaucratised, as it may take more than 60 days before a final decision is made on whether an applicant can have access to a record or requested information. This is one of those typical scenarios in which AIPPA begins to act as an impediment to access to information rather than foster the spirit of openness and transparency within public bodies. The process contradicts the law's intended principle of encouraging openness and accountability in the work of public institutions.

Some public officials take advantage of the bureaucratic nature of this legislation to frustrate requests for public information. The legislation has disempowered junior public officials who are fearful of disclosing any information to citizens or the media.

Although the county prides itself in having an access to information law on its books, the reality on the ground is different. The experience of trying to get information from government departments is in fact cumbersome and complicated. This could be put down to poor the work ethic of civil servants, but it also points towards a general tendency to hide information by public officials.

Again, it was evident from this study that many officials in public institutions failed to demonstrate that they understood that public information is not the property of government, but rather held by government on behalf of its citizens. Some resisted even accepting the letters of request and bounced the researcher from one office to another.

Written requests for information were treated with suspicion and disdain by civil servants. The majority of those who received written requests for information as part of this study were hostile, evasive or expressed surprise that ordinary citizens could make information requests.

A significant number of them asked why the information was needed and made remarks about their institutions not providing information to individuals. They said they would only provide information to institutions or to the media. An officer in the Psychomotor ministry even refused to sign for the letter or give her name to the researcher. It is not clear whether the remarks expressed by the civil servants reflect government policy on the dissemination of information.

A culture of fear was evident among many public servants who were reluctant to identify themselves or provide their contact details. In other departments, they refused to accept letters or to have their names taken. Most referred the requests to a more senior official and there was no clear structure with regard to who was responsible for attending to the information needs of the public. Some institutions referred the researcher to the Permanent Secretary, who is the highest administrative authority in government ministries.

Although many institutions have websites, many of the websites are not taken seriously, as they lack useful and or updated information. Some websites have details of officials who served under the previous cabinet.

## RATIONALE AND RESEARCH PARAMETERS

Governments and public institutions are responsible for facilitating the right to access information, and are responsible for:

- enabling citizens to access information upon request
- proactively disseminating important information

In June 2015, MISA Zimbabwe, assessed the level of accessibility of information held by government and public institutions in Zimbabwe. The public institutions assessed were randomly selected with particular attention paid to the relevance and nature of information these institutions hold.

The public institutions surveyed were as follows:

1. The Ministry of Psychomotor
2. The Zimbabwe Football Association (ZIFA)
3. The Zimbabwe Republic Police
4. The National Social Security Authority
5. The Ministry of Information, Communications and Technology
6. The Ministry of Local Government, Urban and Rural Planning
7. The Environmental Management Authority
8. The National Aids Council of Zimbabwe
9. The Ministry of Primary and Secondary Education
10. The Ministry of Labour and Social Welfare
11. The Ministry of Justice, Constitutional and Parliamentary Affairs

## AIM OF THE STUDY:

The purpose of this study was to evaluate the level of openness in government and public institutions in Zimbabwe. The results of the study will continue to inform MISA Zimbabwe's campaign for the repeal and amendment of the existing AIPPA legislation.

## SUMMARY OF KEY FINDINGS

### Website

Of the eleven institutions surveyed, seven had websites, although the effectiveness with respect to content management differed from one organisation to the other. The ministries of Psychomotor and Labour and Social Welfare had no websites, while the ministries of Education and Local Government did not improve their websites this year. The fourth institution not to have a website was the Zimbabwe Republic Police.

Most of the surveyed websites scored poorly. Although some of the websites were organised well, they were not regularly updated and lacked useful information. The Ministry of Justice, Constitutional and Parliamentary Affairs had more useful content, although they still fell short of acceptable standards. The Zimbabwe Football Association website was also comparatively well managed although it is not up to the required standard. These websites had information such as contact details and legislation that governs their operations.

Of all the institutions that have websites with a feedback mechanism, none of them responded to electronic requests for information except the Environmental Management Authority, who responded via email by telling and asked us to approach a higher authority with our request.

The rest of the institutions, including the Local Government Ministry and Ministry of Primary and Secondary Education, operated websites, which had content management problems and lacked a clear structural outline.

None of the government organisations displayed budgets or any information pertaining to budgets or their operations. The failure to maintain informative websites could be attributed to capacity issues, but one is inclined to conclude that there is no commitment from these institutions to proactively inform the public about their operations. A culture of secrecy is evident from the website analysis.

### Social Media

Of the eleven institutions surveyed, seven had websites, although the effectiveness with respect to content management differed from one organisation to the other. The ministries of Psychomotor and Labour and Social Welfare had no websites, while the ministries of Education and Local Government did not improve their websites this year. The fourth institution not to have a website was the Zimbabwe Republic Police.

### Written electronic Requests

Only seven out of the eleven institutions surveyed had electronic contact details. ZIFA, EMA, the Ministry of Local Government and the National Aids Council responded to emails sent to them. Of the four, only ZIFA and the National AIDS Council responded by giving the researcher some of the information requested. EMA referred the researcher to a higher authority who had still not responded to questions at the time of compiling this report. Despite the NSSA having contact details on their website, the emails kept bouncing back. The other organisations did not respond to electronic written requests for information despite having contact details on their websites.

## DETAILED FINDINGS

### 1. Ministry of Psychomotor

#### CATEGORY 1: WEBSITE

<http://zabs.org.zm/>

The Ministry of Psychomotor has no website yet. It has not come through with its undertaking to develop one.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 0/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

##### Part 1: Requests For Written Information

###### The following questions were sent to the Ministry of Psychomotor:

- 1) How has the ministry ensured that the recommendations brought about by the Nziramasanga Commission of 1999 have been implemented?
- 2) What procedures have you implemented to ensure that the ministry works as per the recommendations?
- 3) What strategies is the ministry employing to ensure that the public is aware of the importance of the ministry?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	

n = 20	Yes	No	Additional Information
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 0/20**

##### Part 2: Requests For Written Information

Questions as per written request.

###### The following additional question was asked of the Ministry of Psychomotor:

- 1) Has the ministry conducted a skills audit to ascertain what practical subjects should be invested in? If so, what investments have been made so far in equipment for areas such as carpentry, metal work and agriculture?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	Ministry is new and they do not have some of the information yet
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	Partially
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?	•		

**Total Score: 4/20**

## 2. Zimbabwe Football Association (ZIFA)

#### CATEGORY 1: WEBSITE

<http://www.zifa.org.zw/>

The ZIFA website is visually appealing and fairly easy to navigate. The homepage is regularly updated, providing the latest news on the game. However, the website lacks useful information such as budgets. The website provides details of who to contact for information and it has a policy document on how its operations are governed, although not comprehensive.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	
b) A list of laws, Acts etc. issued within the scope of its powers?	•			A file containing the game statutes is provided
c) Reports, policies, programmes?			•	The 'ZIFA village', meant to promote youth football development, is outlined

n = 20	Yes	No	Partial	Additional Information
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

**Total Score: 11/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### Part 1: Requests For Written Information

#### The following questions were sent to the Zimbabwe Football Association:

- 1) How does the institution ensure that the public gets information on the administration of football in the country?
- 2) What procedure has ZIFA taken to make sure that Zimbabwean football survives in the current harsh economic situation?
- 3) What measures, if any, have been taken by ZIFA to ensure the country qualifies for the next World Cup and AFCON tournaments?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Officer
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?	•		
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 14/20**

### Part 2: Requests For Written Information

Questions as per written request.

#### The following additional question was asked of the Zimbabwe Football Association:

- 1) What is ZIFA doing in the country to develop youth football?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?	•		

n = 20	Yes	No	Additional Information
6. Did the institution provide written reasons for the refusal of information?	•		Ministry is new and they do not have some of the information yet
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	Partially
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 16/20**

## 3. Zimbabwe Republic Police

### CATEGORY 1: WEBSITE

#### No website

The police do not have a functional website

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 0/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

#### The following questions were sent to the Zimbabwe Republic Police:

- 1) What are the crime statistics on rape, murder, fraud and corruption?
- 2) What has been done to ensure police officers do not continue to operate public transport businesses?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		There is a public relations department and a spokesperson
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	

n = 20	Yes	No	Additional Information
4. Does the authority publish their procedures for dealing with information requests?		•	There is a public relations department and a spokesperson
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 2/20**

## Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		There is a public relations department and a spokesperson
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?	•		
6. Did the institution provide written reasons for the refusal of information?	•		
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 10/20**

## 4. National Social Security Authority (NSSA)

### CATEGORY 1: WEBSITE

<http://www.nssa.org.zw/>

The website contains useful information and is regularly updated. It has mechanisms for the public to interact with NSSA. However, emails sent to the authority bounced back.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			

n = 20	Yes	No	Partial	Additional Information
c) Reports, policies, programmes?	•			
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			Name, address and landline phone numbers available
h) The contact details of specific public officials?		•		Office contacts available
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

**Total Score: 12/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

##### The following questions were sent to the NSSA:

- 1) Who is required by law to make pension contributions?
- 2) How much was contributed in pensions by employees in 2014?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Officer
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 2/20**

#### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations Officer
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	

n = 20	Yes	No	Additional Information
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•	•	
10. Was the information received clear and understandable?	•	•	

**Total Score: 10/20**

## 5. Ministry of Information, Communications and Technology

### CATEGORY 1: WEBSITE

<http://www.ictministry.gov.zw/>

The Ministry of ICT has a website which shows Acts and other relevant information. It is regularly updated. Content management is satisfactory. The Ministry was not visible on social media.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	
2. Does the website contain the following:		•		
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?			•	
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

**Total Score: 9/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

##### The following questions were sent to the ministry of ICTS:

- 1) What are the current ICT training programmes available for civil servants and citizens?
- 2) In the interest of promoting access to public information, what progress has been achieved with regard to the ministry's objective to provide a central computer processing facility to government ministries and departments?
- 3) Which schools and how many have so far benefited from the Presidential e-Learning programme?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

**Total Score: 4/20**

#### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 8/20**

## 6. Ministry of Local Government, Rural and Urban Planning

### CATEGORY 1: WEBSITE

<http://www.zim.gov.zw/index.php/ministries/ministry-of-local-government>

The website has serious shortcomings with respect to content management. It has no useful information except for a description of the ministry and its leadership. It is not updated at all.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:		•		
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 0/20

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

##### The following questions were sent to the Ministry of Local Government, Rural and Urban Planning:

- 1) How many people are on the waiting list for accommodation in Zimbabwe's Harare alone?
- 2) Do you think the ministry has the capacity to provide accommodation to the majority of the citizens?
- 3) What initiatives have you taken to ensure that you provide adequate housing as the ministry?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	There is no designated Public Relations Department
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 2/20

### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	No designated Public Relations Department
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 8/20

## 7. Environmental Management Authority

### CATEGORY 1: WEBSITE

<http://www.ema.co.zw/>

The EMA website has information on Acts but does not have other relevant information such as budgets. The information is up-to-date. The management of the website is not satisfactory.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	
b) A list of laws, Acts etc. issued within the scope of its powers?			•	
c) Reports, policies, programmes?			•	
d) Budget and expenditure?			•	
e) Information about procurement procedures, signed contracts?			•	
f) Vacancy and employment procedures?			•	
g) The address, telephone number, and working hours of the institution?	•			
h) The contact details of specific public officials?			•	
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

Total Score: 6/20

## CATEGORY 2: REQUESTS FOR INFORMATION

### Part 1: Requests For Written Information

#### The following questions were sent to EMA:

- 1) What measures have you taken to ensure that the public is aware of your organisation's mandate?
- 2) What synergies has your organisation made to ensure the propagation of your message?
- 3) What have been the major highlights of successes in your organisation's work?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		Public Relations department
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		There is a Public Relations officer, There is an information department
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 8/20

## 8. Zimbabwe National Aids Council (NAC)

### CATEGORY 1: WEBSITE

<http://www.nac.org.zw/>

The website has a satisfactory content management system. It contains links to other relevant websites and has reports that are useful. It is regularly updated.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?	•			
d) Budget and expenditure?				
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?			•	Physical address is present
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

Total Score: 5/20

## CATEGORY 2: REQUESTS FOR INFORMATION

### Part 1: Requests For Written Information

#### The following questions were sent to the NAC:

- 1) How is the revenue collected from the Aids Levy used?
- 2) How much revenue did you collect in 2014?
- 3) How does the company aim to improve its services to the target audience?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?	•		They explained verbally that they did not have the information
7. Did the institution disclose information about its operations, budgets, structure etc.			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 14/20

## Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		There is no public relations department
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?	•		
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 14/20**

## 9. Ministry of Primary and Secondary Education

### CATEGORY 1: WEBSITE

<http://www.mopse.gov.zw/>

The website has clear content management problems. It is not regularly updated and has no useful information pertaining to the operations of the ministry.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 6/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

**The following questions were sent to the Ministry of Primary and Secondary Education:**

- 1) What is the total amount of budget allocated to the ministry by Treasury?
- 2) How regularly do you update your website?
- 3) Does your ministry have a public relations department which updates the public on various issues?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

**Total Score: 0/20**

#### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	There is no Public Relations Office
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 6/20**

## 10. Ministry of Labour and Social Welfare

### CATEGORY 1: WEBSITE

#### No website

The Ministry has no functional website.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programmes?		•		
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?		•		

**Total Score: 0/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

#### Part 1: Requests For Written Information

##### The following questions were sent to the Ministry of Labour and Social Welfare:

- 1) What has the ministry done to ensure that it provides relief to the families that are in need of food aid, to the families in dire need of assistance
- 2) What has the government done to ensure that the grievances of the civil servants are catered for despite of their poor remunerations?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?		•	
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

**Total Score: 2/20**

### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?	•		
3. Did the institution respond to the request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

**Total Score: 14/20**

## 11. Ministry of Justice, Constitutional and Parliamentary Affairs

### CATEGORY 1: WEBSITE

<http://www.justice.gov.zw/>

The Ministry of Justice has a well detailed website that is satisfactorily managed. It is constantly updated and contains key information about how the ministry operates. It is well structured too.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programmes?	•			
d) Budget and expenditure?	•			
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The address, telephone number, and working hours of the institution?		•		
h) The contact details of specific public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?	•	•		

**Total Score: 0/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

### Part 1: Requests For Written Information

#### The following questions were sent to the Ministry of Justice, Constitutional and Parliamentary Affairs:

- 1) What is the constitution of the inter-ministerial committee?
- 2) What are the exact laws that have been targeted among the 400 laws with the aim of aligning them with the new constitution?
- 3) What is the time frame the inter-ministerial committee is working with to complete the realignment?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 4/20

### Part 2: Requests For Written Information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests?	•		
2. Did the institution reply within 21 days?		•	
3. Did the institution respond to the request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested?		•	
6. Did the institution provide written reasons for the refusal of information?		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

## SUMMARY IN NUMBERS

Institution	Website	Request for information	Total score
The Ministry of Psychomotor	0	4	4
The Zimbabwe Football Association (ZIFA)	30	11	41
The Zimbabwe Republic Police	2	10	12
The National Social Security Authority	12	4	16
The Ministry of Information, Communications and Technology	9	12	21
The Ministry of Local Government, Urban and Rural Planning	8	2	10
The Environmental Management Authority	6	10	16
The National Aids Council of Zimbabwe	5	28	33
The Ministry of Primary and Secondary Education	6	6	12
The Ministry of Labour and Social Welfare	14	2	16
Ministry of Justice, Constitutional and Parliamentary Affairs	14	6	20

## RESEARCH CONCLUSIONS

From the survey, one is inclined to conclude that the majority of institutions remain rather closed and averse to placing information in the public domain. Despite more than half of the surveyed institutions having websites, the websites did not contain useful information and were not regularly updated. A general disdain for information requests was evident among the participating institutions. There is suspicion toward citizen requests for information and what some of them term 'hostile media'. The failure to respond to written information requests by some institutions suggests a culture of secrecy in these institutions.

## THE MOST SECRETIVE PUBLIC INSTITUTION IN ZIMBABWE

The surveyed institutions have a long way to go towards transparency and opening themselves up to public scrutiny. Most of them can easily be classified as secretive after almost all failed to respond to written requests for information. Many did not even acknowledge by telephone that they had received requests for information. The Ministry of Psychomotor had no functional website and did not respond to written requests for information. The officials were uncooperative refusing to accept a written request for information. It is clear from this that the institution does not take its interactions with the public seriously. This is in sharp contrast to how the ministry fared in 2014.

The **Ministry of Psychomotor** is the most secretive institution in 2015.

The Ministry of Local Government, Urban and Rural Planning and the Zimbabwe Republic Police, followed closely behind the Ministry of Psychomotor after they failed to respond to written requests for information, in addition to operating relatively uninformative websites.

## THE MOST OPEN PUBLIC INSTITUTION IN ZIMBABWE

The Zimbabwe Football Association improved from their rating last year. Although their website has not changed much, they responded to written requests for information swiftly and comprehensively. Questions were sent to them on paper and electronically and they responded to the questions via email.

The Zimbabwe Football Association is the most open institution in 2015.

Given this, they were clearly the most open organisation in the survey. The National Aids Council also responded swiftly to questions although they did not give much of the information requested. They had a well-managed website and they came second in being the most open organisation under this survey.

## RECOMMENDATIONS

There is need for the government to swiftly align all legislation to make it compliant with the new constitution, which guarantees freedom of expression and access to information. More advocacy work concentrated on pressuring the government to align legislation with the new constitution is necessary.

Government must also implement the recommendations given by the Information Media Panel Inquiry Report which recommended that AIPPA and other laws be reformed or completely repealed.

There was evidence that some institutions may be willing to disclose information but are lacking in capacity. More work and resources must be directed towards engaging these institutions on how they can improve their websites or information dissemination systems.

## NOTES

## NOTES

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