



# MISA TRANSPARENCY ASSESSMENT 2020

The Citizen's Analysis of Government  
Openness in Southern Africa



by the Media Institute of Southern Africa





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MISA Regional Secretariat

P.O. Box 32295

Lusaka, Zambia

Tel: +260 211 294285/6

E-mail: [pogg@misazambia.org.uk](mailto:pogg@misazambia.org.uk)

Website: [www.misa.org](http://www.misa.org)

**A project supported by:**

Friedrich-Ebert-Stiftung (FES)

*fesmedia* Africa

Windhoek, Namibia

Tel: +264 (0)61 417500

E-mail: [info@fesmedia.org](mailto:info@fesmedia.org)

Website: [www.fesmedia-africa.org](http://www.fesmedia-africa.org)

*“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 and Peoples Rights

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

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The MISA Transparency Assessment is a study conducted by local researchers according to specific guidelines. The findings, interpretations, and conclusions reported are those of the researcher and do not necessarily reflect the views and opinions of *fesmedia* Africa or the Friedrich-Ebert-Stiftung (FES).

Editor/Coordinator: Thomas Zulu  
Portuguese Translator: Rui Correia  
Copy Editor: Bryony van der Merwe  
Layout: Bryony van der Merwe

ISBN: 978-99945-77-88-0

Researchers:  
Botswana – Thapelo Ndlovu  
Eswatini – Hlatshwayo Vuhisile  
Lesotho – Boitumelo Koloji  
Malawi – Moses Chitsulo  
Mozambique – Egidio Guambe  
Namibia – Emilia Paulus  
Tanzania – Alex Benson  
Zambia – Maureen Bwalya  
Zimbabwe – Chido Luciasi



# **MISA TRANSPARENCY ASSESSMENT**

The Citizens' Analysis of Government Openness in Southern Africa

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## **REGIONAL OVERVIEW**

## REGIONAL OVERVIEW

This is the 11th Transparency Assessment Report of MISA, which examines the openness and transparency of public organisations in southern Africa. This report was compiled in collaboration of eight MISA Chapters and the Namibia Media Trust and ACTION Namibia Coalition.

During June and August 2020, research was conducted in nine countries, namely; Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe. In their respective countries, national researchers sent information requests to selected organisations anticipating answers to their questions within 21 days. The researchers also assessed whether relevant information (from contact details to budgetary information) had proactively been made available by public bodies through an online platform.

It is also worth mentioning that the 2020 assessment was done in the midst of the COVID-19 pandemic, where some countries, such as Botswana and Zimbabwe were under constant lockdown. As a result of this, certain organisations were not able to provide the information requested.

We have frequently heard politicians say that people cannot eat democracy. This phrase is often used as justification for failing to prioritise access to information. And yet the link between access to information and the global goal to reduce poverty seems abundantly clear. People need access to information in order to empower themselves to have choices and control over the decisions that affect their lives.

Meaningful participation in democratic processes requires a citizenry that is well-informed. And commitment to open and transparent governance is non-negotiable if people are to get the information they need to hold their governments to account, build trust, reduce corruption and be active and meaningful participants in their own development.

This year's assessment has shown that most public organisations surveyed have a strong online presence. While this is a step in the right direction to advance public access to information, it can also be used to silence citizens due to the lack of engagement by public officials on these platforms.

Despite Mozambique and Tanzania being among countries in Africa with access to information laws, they had the lowest scores among the nine countries

surveyed in terms of information response. The average response rate was 14 for Mozambique and 16 for Tanzania. In contrast Namibia had a very good response rate at 25 points on average with the lowest performing organisation at 13 points and the highest at 34 points out of 40 points.

The Electoral Commissions of Zambia and Malawi showed a great deal of transparency receiving 32 and 33 points respectively during the survey. Malawi had its Fresh Presidential Election this year while Zambia goes to the polls in 2021. The Botswana Qualification Authority received the highest score of all organisations surveyed throughout the region.

A number of organisations have moved to the online platforms, however, it is important that they make sure that they update these platforms frequently. Websites with outdated information become irrelevant. The survey found that some websites were last updated more than three years ago.

On a positive note, the Freedom of Information Act, which is part of the processes of repealing the widely discredited Access to Information and Protection of Privacy Act (AIPPA) 2002, came into effect on 1st July 2020 in Zimbabwe. In Malawi, newly elected President Lazarus Chakwera promised to make sure that the Access to Information Act of 2017 will be operationalised to do away with the culture of secrecy and ensure government accountability.

MISA Chapters in Eswatini, and Zambia and also the ACTION Namibia Coalition and Namibia Media Trust are still advocating for enactment of ATI laws in their respective countries for increased government openness and transparency.

## BACKGROUND

Since 2009, the MISA has evaluated the level of openness of government and public organisations in its annual Transparency Assessment. Carried out by MISA Chapters alongside local researchers, the study seeks to establish the ease or difficulty with which citizens can access public information.

The study assesses whether public organisations proactively make relevant information available via an online presence in the form of a website or social media accounts. It further evaluates to what degree information is made available to citizens upon request.

Every year, on 28th September, MISA joins the international community in commemorating the International Day for Universal Access to Information. MISA marks the occasion through:



The regional launch of the MISA Transparency Assessment



Hosting National Golden Key and Golden Padlock Awards Ceremonies

## DATA ANALYSIS

### Category 1:

Evaluation of government and public organisation websites to determine the accessibility and presence of credible and updated public information, which includes but is not limited to powers and functions of the organisation in question, budgetary allocations, procurement procedures and contact details.

### Category 2:

In this category, information requests are submitted to government and public organisations in order to determine the ease with which public information is obtained from government and public organisations.

## 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).

Public organisations fall into one of the following groups in accordance with the number of points 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 (07–13):** 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: Requests for Information

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

**Group 2 (07–13):** 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 organisation was helpful and transparent.

The following countries were surveyed in this 2020 MISA Transparency Assessment:  
Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe.

## PANORÂMICA REGIONAL

Esta é o 11º Relatório de Avaliação de Transparência produzido pelo MISA, que examina a abertura e transparência das instituições públicas na África Austral.

Entre Junho e Agosto de 2020, foi levado a cabo um estudo em nove países, nomeadamente, o Malauí, Moçambique, a Namíbia, Essuatíni, a Tanzânia, a Zâmbia, o Lesoto, o Botsuana e o Zimbábue. Nos seus respectivos países, investigadores nacionais enviaram pedidos de informação a uma lista de instituições e aguardaram receber respostas às suas perguntas em 21 dias. Avaliaram também se estes órgãos públicos disponibilizam informação relevante (que vão desde dados para contacto a informações sobre orçamentos) de forma proactiva nas suas plataformas *online*.

É também importante referir que a avaliação de 2020 foi feita no contexto da pandemia de COVID-19, situação em que alguns países como o Botsuana e o Zimbábue estiveram sujeitos a um regime de contenção ininterrupta, que algumas instituições utilizaram como desculpa para não disponibilizar a informação solicitada.

Muitas vezes ouvimos políticos dizer que a democracia não enche a barriga. Recorrem a estas palavras como justificativa para não priorizar o acesso a informação. E, no entanto, a ligação entre o acesso a informação e o objectivo mundial de redução da pobreza é perfeitamente clara. O acesso a informação é necessário se pretendermos investir os cidadãos do poder de exercer o direito de escolha e controlo sobre as decisões que afectam as suas vidas.

A participação efectiva no processo democrático exige cidadãos bem informados. E o compromisso na defesa de uma governação aberta e transparente não é negociável se se pretende que as pessoas tenham acesso a informações de que necessitam para pedir contas aos seus governos, criar confiança, reduzir a corrupção e participar de forma activa e efectiva no seu próprio desenvolvimento.

A avaliação deste ano revelou que a maioria das instituições públicas inquiridas tem uma presença *online* robusta. Embora seja um passo na direcção certa para promover o acesso público a informação, esta evolução pode também servir para silenciar os cidadãos devido à falta de empenho dos funcionários públicos nessas plataformas.

Apesar de Moçambique e a Tanzânia estarem entre os países africanos com leis de acesso a informação, tiveram as pontuações mais baixas entre os nove países inquiridos no que diz respeito à resposta a pedidos de informação. Moçambique tiveram uma média de taxa de respostas de 14 pontos e a Tanzânia de 16 pontos. Em contrapartida, a Namíbia conseguiu uma taxa de respostas muito boa, com uma média de 25 pontos, em que as instituições com o pior e o melhor desempenho obtiveram 13 e 34 pontos respectivamente, de um total de 40 pontos.

O MISA regista com interesse as Comissões Eleitorais da Zâmbia e do Malauí que demonstram um elevado grau de transparência, acumulando 32 e 33 pontos respectivamente. O Malauí realizou eleições gerais este ano, enquanto a Zâmbia vai às urnas em 2021. A Autoridade de Qualificações [académicas] do Botsuana conquistou a pontuação mais elevada de todas as instituições inquiridas de toda a região.

É gratificante registar que várias instituições migraram para plataformas *online*. No entanto, é importante que estas plataformas sejam actualizadas com frequência. O estudo assinalou que alguns dos *sites* foram actualizados pela última vez há mais de três anos, o que os torna irrelevantes se as informações estiverem desactualizadas.

Do lado positivo, no Zimbábue no dia 1 de Julho de 2020 o Presidente Emmerson Mnangagwa promulgou a Lei da Liberdade de Informação, criada no âmbito da revogação da Lei de Acesso à Informação e Protecção da Privacidade (AIPPA) de 2002, há muito amplamente desacreditada. No Malauí, o recém-eleito presidente Lazarus Chakwera prometeu pôr em funcionamento a Lei de Acesso à Informação de 2017 para acabar com a cultura de secretismo e garantir a responsabilização do governo.

Os capítulos do MISA em Essuatíni, na Namíbia e na Zâmbia prosseguem a aprovação de leis de acesso a informação nos seus respectivos países para maior abertura e transparência do governo.



## ANTECEDENTES

O Instituto da Comunicação Social da África Austral (MISA) vem desde 2009 a avaliar o grau de abertura de instituições públicas e do governo na Avaliação da Transparência anual. Elaborado pelos capítulos nacionais do MISA em colaboração com investigadores nacionais, o estudo visa determinar a facilidade ou dificuldade com que os cidadãos conseguem ter acesso a informação pública.

O estudo avalia se as instituições públicas são proactivas na disponibilização de informação relevante através de uma presença *online* seja esta um *site* ou nas redes sociais. O estudo avalia também o grau de cumprimento da disponibilização de informação mediante solicitações de cidadãos.

Todos os anos no dia 28 de Setembro, o MISA junta-se à comunidade internacional para comemorar o Dia Internacional pelo Acesso Universal a Informação. O MISA assinala a ocasião com:



O lançamento do relatório Avaliação da Transparência a nível regional



Cerimónias de entrega dos Prémios Chave de Ouro e Cadeado de Ouro a nível nacional

## ANÁLISE DE DADOS

### Categoria 1:

Avaliação de *sites* do governo e de instituições públicas para determinar o grau de acessibilidade e existência de informação fiável e actualizada detida por organismos públicos, que inclui, (mas não se limita a): competências e funções da instituição, dotações orçamentais, procedimentos de adjudicação de concursos e informação de contacto.

### Category 2:

Nesta categoria, pedidos de informação são apresentados a instituições governamentais e públicas para determinar o grau de facilidade de obtenção de informação pública junto destas instituições.

## DESCRIÇÃO DOS CRITÉRIOS DE AVALIAÇÃO

A pontuação total atribuída às categorias 1 e 2 é de 20 pontos (n = 20) para cada categoria.

Os pontos são atribuídos consoante a apreciação do investigador: *Sim* (2 pontos); *Parcial* (1 ponto); *Não* (0 pontos).

As organizações públicas avaliadas são afectadas a um dos seguintes grupos, de acordo com o número de pontos somados:

### Categoria 1: Análise do *site*

**Grupo 1 (0–6):** Não tem *site* ou tem *site* extremamente deficiente, que não contém nenhuma ou praticamente nenhuma informação pública relevante.

**Grupo 2 (07–13):** Tem um *site* razoável que contém alguma informação pública relevante.

**Grupo 3 (14–20):** Tem um *site* bem organizado e transparente que contém uma boa quantidade de informação pública relevante.

### Categoria 2: Pedidos de Informação

**Grupo 1 (0–6):** Negou um pedido razoável de acesso a informação ou demonstrou um alto grau de secretismo.

**Grupo 2 (07–13):** Demonstrou um grau médio de abertura ao permitir acesso a informação pública.

**Grupo 3 (14–20):** Demonstrou abertura ao permitir acesso a informação pública. A instituição foi prestativa e transparente.



# BOTSWANA

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Botswana is still without a freedom of information act, despite the fact that this freedom is assured in section 12 of the constitution. Attempts to pass such a law have always been impeded by the ruling Botswana Democratic Party. In fact, the current president led the withdrawal of the opposition-sponsored Private Members Bill in 2011, assuring that a new and improved bill would be brought before parliament. This has not yet happened.

The difficulty of accessing information continues to be a blot in the country's democratic credentials. Without a law that facilitates access to information, there are a number of initiatives and legislations which restrict this access. The Public Service Act is one such example. The act makes it a dismissible offense for a public officer to disclose work-related information. This amounts to censorship as workers are unable to raise the alarm when they come across information that is in the public's interest. Under this act, whistle blowing becomes a crime.

With the advent of the COVID-19 pandemic, the government has become more secretive and openly introduced the Emergency Powers Act, which contains clauses that specifically prevent access and relay of information. For example, sections 30 (3) and 31 (3) criminalise the relay of COVID-19 related information from any source besides the government or the World Health Organisation. While the open intention was to curb circulation of misinformation, this act has been used to protect the image of the government and, in particular, the president.

The police have used the current State of Emergency to make arrests, some of which are regarded as political. An example is the arrest and detention of Botswana Patriotic Front spokesperson, Justice Motlhabani, on allegations that he was responsible for administering a Facebook page which carried negative reports of the president. Motlhabani is currently released on bail.

In a press statement, the police warned the public against publishing information that is 'offensive' to the leadership. This led to an enraged commentary on social media and radio stations, as people asked why the police were going beyond their expected mandate.

It is also worth noting that parliament recently rejected a motion by Dithapelo Keorapetse, an opposition member of parliament, in which he called for the repeal of the Media Practitioners Act, which passed through parliament and assented in 2008. The ruling party rejected the motion, despite their undertaking to repeal it in their 2019 election manifesto. This was the second time the repeal was rejected in parliament. The act is considered draconian by observers and the media.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This survey targeted 10 public organisations to ascertain how responsive they are to information inquiries by the public. The survey was carried out from June to August 2020. Written requests for information were dispatched to these selected organisations.

The purpose of the study is to provide an informed picture of the state of access to information in Botswana. The results of the study are expected to motivate transparency and open government.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

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

## LIMITATIONS OF THE STUDY

Botswana's lack of a freedom of information law, as well as the existence of laws which inhibit access to information, (such as the Public Service Act and the Emergency Powers Act) was expected to negatively impact this study.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Botswana Police Service
2. Botswana Post
3. Botswana Power Corporation
4. Botswana Qualification Authority
5. Botswana Unified Revenue Service
6. Ministry of Mineral Resources, Green Technology and Energy Security
7. Ministry of Investment, Trade and Industry
8. Public Procurement and Asset Disposal Board
9. Statistics Botswana
10. Water Utilities Corporation

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- Government ministries use a centralised website portal, which they have limited control over.
- None of the websites surveyed contain budget or financial information.
- The websites are not interactive, and responses on the Messenger platform are often late.
- Social media platforms, especially Facebook, are often used to supplement the website.

### Category 2: Requests for information

- All public organisations acknowledged receipt of the inquiry, although this response was delayed in some instances.
- Some organisations were proactive in supplying the information requested.
- Only a few responded in less than seven days of receiving the inquiry.
- Only a few responded without a reminder.
- Some never responded after acknowledgement, with organisation citing COVID-19 lockdown and movement restrictions as a reason for non-response.
- Most organisations took a long time to verify information through their offices.
- Due to lockdown, a physical request for information was almost impossible.
- None of the surveyed organisations flatly refused to give the requested information.

# DETAILED FINDINGS

## 1. BOTSWANA POLICE SERVICE

### CATEGORY 1: WEBSITE

[www.gov.bw/ministries/botswana-police-service](http://www.gov.bw/ministries/botswana-police-service)

Although this organisation does not have an independent website, it does have a dedicated page through the Botswana Government website portal. The information on the page is static and basic. However, the Botswana Police Service uses its Facebook page very effectively to disseminate information, such as press releases and notices of wanted or missing persons.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?			X	
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 6/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Botswana Police Service:

- Has cattle rustling or theft improved since the beginning of the campaign? Please share numbers if possible.
- There was a reported case of cross-border rustling in Bobirwa a few weeks ago, in which one foreign national was allegedly killed by the villagers. Is cross-border livestock theft a serious concern or was this just a one-time incident?
- Has the campaign ended or it is an ongoing project?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?			X	

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?			X	
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?			X	
10. Was the information received clear and understandable?	X			

**Total score: 11/20**

## 2. BOTSWANA POST

### CATEGORY 1: WEBSITE

[www.botswanapost.co.bw](http://www.botswanapost.co.bw)

Botswana Post has a website that mainly provides information on its services. It also publishes details about its offices and its mandate. Botswana Post is active on social media, especially Facebook.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?			X	
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Botswana Post:

- Was there a tendering process for the service of old-age pension payments?
- Why did Botswana Post relieve itself of the process of old-age pension payments?

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

**Total score: 10/20**

## 3. BOTSWANA POWER CORPORATION

### CATEGORY 1: WEBSITE

[www.bpc.bw](http://www.bpc.bw)

This website includes information on how to access the corporation's services, as well as a frequently-asked-questions section. The Botswana Power Corporation also has an active social media presence (Twitter and Facebook). It uses these platforms to disseminate information about power cuts and other developments.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		

n = 20	Yes	No	Partial	Additional information
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	

**Total score: 15/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Botswana Power Corporation (BPC):

- Has BPC decided on the new tariffs after the April hike?
- How is BPC dealing with electricity theft and how serious is the problem? Please share statistics.
- When will Botswana be self-dependent on energy?

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

**Total score: 4/20**

## 4. BOTSWANA QUALIFICATION AUTHORITY

### CATEGORY 1: WEBSITE

[www.bqa.org.bw](http://www.bqa.org.bw)

The information on this website is up-to-date. The mandate of the organisation is clearly stated, as well as information on various offices. The organisation is active on Facebook, and uses this platform for regular announcements and latest developments.



n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 17/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Botswana Qualification Authority (BQA):

- Do tutorial centres fall under the domain of the BQA? For instance, do the centres or tutors have to be accredited?
- Does the BQA have a monitoring system to identify unscrupulous service providers who could be just making fast cash out of the predicament?

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

**Total score: 18/20**

## 5. BOTSWANA UNIFIED REVENUE SERVICE

### CATEGORY 1: WEBSITE

[www.burs.org.bw](http://www.burs.org.bw)

The website is regularly updated with information regarding new laws and developments in the tax arena. The website provides interactive sections that offer resources. The Facebook page is regularly updated with notices and announcements.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?			X	
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 15/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Botswana Unified Revenue Service:

- What is the current national import bill? Please share a table of items imported.
- What percentage of the import bill relates to goods and services sourced from South Africa?
- What percentage of the import bill relates to goods and services sourced from elsewhere in Africa?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?			X	The only response received was the assurance that they would deal with the request.
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?			X	

5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?			X	
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 6/20**

## 6. MINISTRY OF MINERAL RESOURCES, GREEN TECHNOLOGY AND ENERGY SECURITY

### CATEGORY 1: WEBSITE

[www.gov.bw/ministries/ministry-mineral-resources-green-technology-and-energy-security-mmge](http://www.gov.bw/ministries/ministry-mineral-resources-green-technology-and-energy-security-mmge)

The website for this ministry is part of the government portal. As a result, the information provided is basic. The ministry uses alternative methods of dissemination of information, such as Facebook. It is through this platform that notices and developments are announced. This, however, does not include crucial information such as budgets and expenditures.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?			X	
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Mineral Resources, Green Technology and Energy Security:

- How many diamond polishing and cutting companies have been licensed to operate, and are operating, in Botswana?
- How many diamond cutting and polishing companies operating in Botswana do citizens wholly own or have shares in?

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

**Total score: 15/20**

## 7. MINISTRY OF INVESTMENT, TRADE AND INDUSTRY

### CATEGORY 1: WEBSITE

[www.gov.bw/ministries/ministry-investment-trade-and-industry](http://www.gov.bw/ministries/ministry-investment-trade-and-industry)

The website for the ministry is part of the government portal. As a result, the information provided is basic. This ministry is, however, active on social media and regularly updates its Facebook page, where it provides information on services and latest developments. The minister is personally active on Twitter, where she often answers questions from the public. This makes it the most interactive ministry surveyed.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			

4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 17/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Investment, Trade and Industry:

- What is the latest information on Botswana's import bill?
- Describe the impact of government's economic diversification programme on the latest figures reflected in the nation's import bill?
- According to latest import bill, what percentage of Botswana's imported goods come from African countries?

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

**Total score: 6/20**

## 8. PUBLIC PROCUREMENT AND ASSET DISPOSAL BOARD

### CATEGORY 1: WEBSITE

[www.ppadb.co.bw](http://www.ppadb.co.bw)

This website is professional and very resourceful. It contains the activities of the board, as well as decisions made on tenders.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Principal Public Relations Officer
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	The authority provides procedures for procurement as per its mandate.
7. Information about vacancy and employment procedures?			X	
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?			X	
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 15/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Public Procurement and Asset Disposal Board (PPADB):

- How many construction companies registered with PPADB fall within your large-scale category?
- How many of the large-scale companies registered with PPADB, do Batswana wholly own or have shares in?
- Is there any additional information that you deem relevant and critical for our story?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			

6. Did the organisation provide written reasons for the refusal of information?			X	
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 16/20**

## 9. STATISTICS BOTSWANA

### CATEGORY 1: WEBSITE

[www.statsbots.org.bw](http://www.statsbots.org.bw)

This website was not operational at the time of this survey. However, the Facebook page was active and contained up-to-date information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?			X	
8. The address, telephone number, and working hours of the organisation?	X			Only on their Facebook page.
9. The contact details of specific public officials?	X			Only on their Facebook page.
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 14/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Statistics Botswana:

- What is the latest information on Botswana's import bill?
- Describe the impact of the government's economic diversification programme on the latest figures reflected in the nation's import bill?
- According to latest import bill, what percentage of Botswana's imported goods come from African countries?

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

**Total score: 6/20**

## 10. WATER UTILITIES CORPORATION

### CATEGORY 1: WEBSITE

[www.wuc.bw](http://www.wuc.bw)

The website is up-to-date and has adequate information. It has a frequently-asked-questions section, however, it does not include budgets, procedures or contracts. Its customer service section is not interactive.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			



9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 17/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Water Utilities Corporation:

- How much is the Water Utilities Corporation owed by its customers?
- Would you say that the Water Utilities Corporation has reached its present debt level because of being understaffed or because workers are performing below expectation?
- Is there any minimum quality standard of pipes that the corporation uses or advises customers to use when buying pipes for water connection at their respective homesteads?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	They gave verbal reasons but did not refuse out right.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?			X	
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 6/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Botswana Police Service	6	11	17
2. Botswana Post	12	10	22
3. Botswana Power Corporation	15	4	19
4. Botswana Qualification Authority	17	18	35
5. Botswana Unified Revenue Service	15	6	21
6. Ministry of Mineral Resources, Green Technology and Energy Security	10	15	25
7. Ministry of Investment, Trade and Industry	17	6	23
8. Public Procurement and Asset Disposal Board	15	16	31
9. Statistics Botswana	14	6	20
10. Water Utilities Corporation	17	6	23

## RESEARCH CONCLUSION

The report reflects an environment that is still lacking in transparency and general access to information. Organisations that scored well in this survey are those that provide a fair balance between a request for information and their online presence.

Of the public organisations that did not score well, many cited the COVID-19 situation as the reason for delayed / or lack of response. The delay was also attributed to the intermittent lockdowns as some of the information could only be received from officials who were subjected to lockdown.

The researcher was also constrained from physically following up the information requests due to the movement restrictions. Therefore, electronic platforms were relied upon.

It is also notable that no organisation flatly refused to supply the requested information but instead, some delayed their response, relayed the request to other offices (even other departments in some cases) or kept giving assurances.

It is also worth noting that the political unwillingness to provide a law ensuring access to information is a major barrier to openness. With the existence of a repressive law like Media Practitioner Act, information practitioners such as journalists self-censor themselves lest they become victims to the law.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN BOTSWANA

The Botswana Police Service has only single page on the government's website portal. Although they did supply the requested information, they did not do so timeously.

**Therefore, the winner of the Golden Padlock Award is the Botswana Police Service.**



### THE MOST OPEN PUBLIC ORGANISATION IN BOTSWANA

Botswana Qualification Authority has an updated website and is active on social media. They supplied the full information requested proactively and timeously.

**Therefore, the winner of the Golden Key Award is the Botswana Qualification Authority.**

## RECOMMENDATIONS

- The legislation body must hasten to approve an access to information law.
- Organisations must strengthen their electronic presence.
- Front desk officers must be able to provide basic information about their organisations in the absence of the designated persons.
- Government ministries must be given the autonomy to create own websites.
- Social platforms of public organisations should be easily distinguishable from fake pages. They should all adopt a uniform symbol that differentiates them from scam.
- With the advent of COVID-19, officials should be able to respond to a request from home with all relevant documents on an electronic database.
- General courtesy when dealing with requests could improve the public perception of an organisation.
- Information officers should be present at all times especially when there is a situation like the movement restrictions.



# KINGDOM OF ESWATINI

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Although Eswatini is a signatory to several regional and international instruments on freedom of expression and freedom of the media, these instruments have not been domesticated. The country has approximately 32 laws that restrict freedom of expression and media freedom, including the Official Secrets Act.

The process of accessing information for ordinary citizens, particularly those in rural communities, is not easy. In 2007, the government released a draft Freedom of Information and Protection of Privacy Bill. However, 13 years later, the bill has still not been passed.

With the advent of the COVID-19 pandemic, it was expected that information about this disease would be made accessible, and that it would encourage the sharing of information. However, according to the Article 29, sub-section 1 (b) of the recent COVID-19 Regulations: *No one may use print or electronic media to publish information about COVID-19 without the Ministry of Health's permission.* This amounts to censorship of a major public health issue.

However, some organisations have made very positive strides in improving their lines of communication.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The aim of this study was to assess the state of access to information in Eswatini. Specifically, it sought to examine the level of openness and ability to provide requisite information by government/public organisations. Ten organisations were surveyed between 6 July – 5 August 2020.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

## RESEARCH METHODOLOGY

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

## LIMITATIONS OF THE STUDY

- There are many laws in Eswatini which restrict the public's access to information.
- Many public officials seem to have forgotten that the information they hold belongs to the citizens of Eswatini.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Deputy Prime Minister's Office
2. Eswatini Revenue Authority
3. Eswatini Tourism Authority
4. Eswatini Youth Enterprise Fund
5. Ministry of Commerce, Industry and Trade
6. Ministry of Health
7. Ministry of Tourism and Environmental Affairs
8. Ministry of Tinkhundla Administration and Development
9. Municipal Council of Manzini
10. National Disaster Management Agency

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- There is marked difference between the websites of government ministries and those of public companies. The websites of public companies have a significantly more professional feel.
- Of the five government ministries surveyed, only one has the full contact details of the minister, principal secretary and under-secretary.
- The majority of websites have links to social media accounts (such as Facebook, Twitter, Instagram and Youtube).
- The majority of websites surveyed do not contain budget or other financial information.

### Category 2: Requests for information

- Of the 10 surveyed public organisations, only three did not respond to the requests for information. Of the five surveyed ministries, only one did not respond.
- The majority of public organisations responded within seven days.

# DETAILED FINDINGS

## 1. DEPUTY PRIME MINISTER'S OFFICE

### CATEGORY 1: WEBSITE

[www.gov.sz/index.php/ministries-departments/the-deputy-prime-minister-s-office](http://www.gov.sz/index.php/ministries-departments/the-deputy-prime-minister-s-office)

The website is part of a centralised main portal for all Eswatini government ministries, and as such contains standard information, which is largely out-dated. Information such as the Deputy Prime Minister's speeches on COVID-19 are only posted on the main portal. No contact details are included on the website.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			COVID-19 updates.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 8/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Deputy Prime Minister's Office:

- How often is the website updated?
- Who is in charge of the website?
- How would you describe the relationship of the Deputy Prime Minister's Office with the media?
- What is the Deputy Prime Minister's Office doing about the COVID-19 pandemic?
- What other channels of communication does the Deputy Prime Minister's Office use to disseminate public information?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			

n = 20	Yes	No	Partial	Additional information
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	No information on budgets.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			

Total score: 13/20

## 2. MINISTRY OF COMMERCE, INDUSTRY AND TRADE

### CATEGORY 1: WEBSITE

[www.gov.sz/index.php/ministries-departments/ministry-of-commerce](http://www.gov.sz/index.php/ministries-departments/ministry-of-commerce)

The website has up-to-date information which is easy to access and visually appealing. A section, Invest in Eswatini, focuses on business registration procedures. Contact details for the minister, principal secretary and under-secretary are provided on the website. It also contains General Guidelines on COVID-19 for all business sectors.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			COVID-19 updates.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	
9. The contact details of specific public officials?	X			Minister, principal secretary and under-secretary
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 10/20



## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Commerce, Industry and Trade:

- How often is this ministry's website updated?
- Who is in charge of this ministry's website?
- How would you describe this ministry's relationship with the media?
- What is this ministry doing about the COVID-19 pandemic?
- What other channels of communication does this ministry use to disseminate public information?

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

Total score: 13/20

## 3. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE

[www.gov.sz/index.php/ministries-departments/ministry-of-health](http://www.gov.sz/index.php/ministries-departments/ministry-of-health)

The website has up-to-date information on key areas regarding COVID-19. It is also active on Twitter.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			COVID-19 updates.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?			X	

n = 20	Yes	No	Partial	Additional information
6. Information about procurement procedures or signed contracts?			X	
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			There is a mechanism to leave a message.

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Health:

- How often is this ministry's website updated?
- Who is in charge of this ministry's website?
- How would you describe this ministry's relationship with the media?
- What is this ministry doing about the COVID-19 pandemic?
- What other channels of communication does this ministry use to disseminate public information?

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

**Total score: 3/20**

## 4 MINISTRY OF TINKHUNDLA ADMINISTRATION AND DEVELOPMENT

### CATEGORY 1: WEBSITE

[www.gov.sz/index.php/ministries-departments/ministry-of-tinkhundla-administration](http://www.gov.sz/index.php/ministries-departments/ministry-of-tinkhundla-administration)

The website has user-information and a section which educates citizens about the Tinkhundla system of government. It does not contain up-to-date news, however it does have the Regional Development Fund Application Form in English and SiSwati.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	

**Total score: 5/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Tinkhundla Administration:

- How often is this ministry's website updated?
- Who is in charge of this ministry's website?
- How would you describe this ministry's relationship with the media?
- What is this ministry doing about the COVID-19 pandemic?
- What other channels of communication does this ministry use to disseminate public information?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		

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

Total score: 13/20

## 5. MINISTRY OF TOURISM AND ENVIRONMENTAL AFFAIRS

### CATEGORY 1: WEBSITE

[www.gov.sz/index.php/ministries-departments/ministry-of-tourims-environments-a-communications](http://www.gov.sz/index.php/ministries-departments/ministry-of-tourims-environments-a-communications)

The website does not contain up-to-date information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	The website still uses the old name for parastatals.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	

Total score: 8/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Tourism and Environmental Affairs:

- How often is this ministry's website updated?
- Who is in charge of this ministry's website?
- How would you describe this ministry's relationship with the media?
- What is this ministry doing about the COVID-19 pandemic?
- What other channels of communication does this ministry use to disseminate public information?

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

Total score: 13/20

## 6. ESWATINI REVENUE AUTHORITY

### CATEGORY 1: WEBSITE

[www.sra.org.sz](http://www.sra.org.sz)

The website is professional and most of the information is up-to-date. However, its news section has stale articles dating back to 2014, which still flash across the screen.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?			X	

n = 20	Yes	No	Partial	Additional information
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Eswatini Revenue Authority:

- How often is the authority's website updated?
- Who is in charge of the authority's website?
- How would you describe the authority's relationship with the media?
- What is the authority doing about the COVID-19 pandemic?
- What other channels of communication does the authority use to disseminate public information?

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

**Total score: 3/20**

## 7. ESWATINI TOURISM AUTHORITY

### CATEGORY 1: WEBSITE

[www.thekingdomofeswatini.com](http://www.thekingdomofeswatini.com)

The website is up-to-date with product and service information for both domestic and foreign tourists. The website does not contain information such as organisational power and structure, reports or policies, procedures, budgets or contact details. It is active on the social media platforms (Facebook, Twitter, Instagram and YouTube). It has an updated news section and recent information on the COVID-19 pandemic.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?		X		
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 7/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Eswatini Tourism Authority:

- How often is the authority's website updated?
- Who is in charge of the authority's website?
- How would you describe the authority's relationship with the media?
- What is the authority doing about the COVID-19 pandemic?
- What other channels of communication does the authority use to disseminate public information?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		

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

Total score: 3/20

## 8. ESWATINI YOUTH ENTERPRISE FUND

### CATEGORY 1: WEBSITE

[www.yef.co.sz](http://www.yef.co.sz)

The website has up-to-date information. It has also a section for announcements, upcoming events and for dealing with calls for business proposals. It is also active on social media platforms (Facebook, Twitter and Instagram).

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?			X	
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	
9. The contact details of specific public officials?			X	
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 15/20



## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Eswatini Youth Enterprise Fund:

- How often is the fund's website updated?
- Who is in charge of the fund's website?
- How would you describe the fund's relationship with the media?
- What is the fund doing about the COVID-19 pandemic?
- What other channels of communication does the fund use to disseminate public information?

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

**Total score: 15/20**

## 9. MUNICIPAL OF MANZINI

### CATEGORY 1: WEBSITE

[www.mzcitycouncil.sz](http://www.mzcitycouncil.sz)

The website has up-to-date information, including the latest developments in the municipality. It has made it easy to get in touch through Facebook, a call centre and email. The website also provides COVID-19 updates.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?	X			

n = 20	Yes	No	Partial	Additional information
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?			X	
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 19/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Municipal Council of Manzini:

- How often is the council's website updated?
- Who is in charge of the council's website?
- How would you describe the council's relationship with the media?
- What is the council doing about the COVID-19 pandemic?
- What other channels of communication does the council use to disseminate public information?

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

**Total score: 15/20**

## 10. NATIONAL DISASTER MANAGEMENT AGENCY

### CATEGORY 1: WEBSITE

[ndma.org.sz](http://ndma.org.sz)

The website has updated and useful information. It has toll free emergency numbers and a text message facility. It is also active on social media platforms (Facebook, Instagram and Twitter). The website also provides information on Eswatini COVID-19 Response.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?			X	
4. Does the organisation publish their procedures for handling information requests?			X	
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?				
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?				
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 6/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to National Disaster Management Agency:

- How often is the agency's website updated?
- Who is in charge of the agency's website?
- How would you describe the agency's relationship with the media?
- What is the agency doing about the COVID-19 pandemic?
- What are other channels of communication does the agency use to disseminate public information?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?	X			

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

**Total score: 15/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Deputy Prime Minister's Office	8	13	21
2. Eswatini Revenue Authority	12	3	15
3. Eswatini Tourism Authority	7	3	10
4. Eswatini Youth Enterprise Fund	15	15	30
5. Ministry of Commerce, Industry and Trade	10	13	23
6. Ministry of Health	12	3	15
7. Ministry of Tourism and Environmental Affairs	8	13	21
8. Ministry of Tinkhundla Administration and Development	5	13	18
9. Municipal Council of Manzini	19	15	34
10. National Disaster Management Agency	6	15	21

## RESEARCH CONCLUSIONS

A lot more needs to be done by the media, civil society and citizens to gain the right to information in Eswatini.

It is a cause for concern that the Ministry of Health is among the public organisations that had withheld information for this study, especially during the COVID-19 pandemic. Alarmingly, the Eswatini Revenue Authority, which is in charge of the COVID-19 Relief Fund, did not respond to the request for information either. The same applies to the Eswatini Tourism Authority, charged with the responsibility to educate the hoteliers, domestic and foreign tourists about the COVID-19 Tourism Guidelines.

## RECOMMENDATIONS

- Eswatini needs to enact the Freedom of Information and Protection of Privacy Act in order to create an open and transparent environment in the country.
- Citizens should be educated about their rights to access of public information.
- Communication officers at public organisations should be educated in how to respond appropriately to information requests.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN ESWATINI

The Eswatini Tourism Authority has a website which contains information about products and services, but lacks real information about the authority. There was no response to the request for information, and no information was received.

**Therefore, the 2020 Golden Padlock Award goes to the Eswatini Tourism Authority.**



### THE MOST OPEN PUBLIC ORGANISATION IN ESWATINI

The Municipal Council of Manzini has an up-to-date website, which includes recent developments at the municipality. This organisation has made getting in touch easy through the use of online platforms such as Facebook. The council responded timeously to the information request, provided information without questioning the aims and motivations of the applicant, and delivered clear and understandable information within the timeframe provided.

**Therefore, the 2020 Golden Key Award goes to the Municipal Council of Manzini.**



# LESOTHO

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Access to information in Lesotho remains a hard-fought battle by free expression activists and media freedom fighters. MISA Lesotho dedicates most of its advocacy work towards ensuring a viable working environment for media practitioners as far as access to information is concerned. This is against a background of archaic laws and legal instruments detrimental to the enjoyment of this right by the media, as well as the general public.

The country is a signatory to a number of regional and international treaties and conventions, such as the International Convention on Civil and Political Rights, and the African Charter on Human and Peoples' Rights. However, very little has been done to domesticate these agreements into the local legal framework. Some existing laws still impede free access to information. A number of government organisations also hamper access to information by labelling certain information and government documents as 'confidential' or 'secret'.

In an effort to realise a viable platform for unhindered access to information, MISA Lesotho advocated for an access to information law which culminated in the Access and Receipt of Information Bill of 2000. However, 20 years later, the bill is yet to be enacted into law by parliament. This is in spite of a drastic political change after the 2012 elections, that saw the country move from a single-party state to a multi-party coalition government.

To date, the country has made strides towards improving the overall legal situation through national reforms. The national reforms programme is a multi-faceted and multi-stakeholder initiative to overhaul the country's legal framework, spanning constitutional, parliamentary, security, public service sector, judicial, economic and media reforms. The initial stage of the reforms agenda, which is dialogue, was completed in December 2019. During this stage, shortfalls in the current system were identified and suggestions were made on how they should be addressed.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The aim of this study was to assess the state of access to information in Lesotho. Specifically it sought to examine the level of openness and ability to provide requested information by government/public organisations.

Ten organisations were surveyed between 22 June–15 July 2020.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

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

### LIMITATIONS OF THE STUDY

- Most public organisations have, for decades, treated public information as though it is a right to be enjoyed by only a few elites and not the general public.
- This research was undertaken during the COVID-19 pandemic, when many public organisations were reporting positive cases amongst staff members or their families. This caused service disruption as these organisations were forced to close their offices in order to test staff and disinfect their establishments against COVID-19.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Land Administration Authority
2. Lesotho Electricity Company
3. Lesotho Highlands Development Authority
4. Lesotho Revenue Authority
5. Ministry of Communications, Science and Technology
6. Ministry of Health
7. National Manpower Development Secretariat
8. National University of Lesotho
9. Office of the Prime Minister
10. Water and Sewage Company

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All surveyed public organisations have active websites, most of which contain basic information about the organisation including their business hours.
- Most websites (especially those of government ministries) contain out-of-date information. The Ministry of Health's website still states their goals for the year 2000. A few websites have a 'News' section, which sometimes carries information over three years old.
- It appears that most government websites are only updated when a new minister assumes office.
- Most websites contain no financial information about the organisation.

### Category 2: Requests for information

- All surveyed public organisations have designated information officers.
- Most information officers do not respond timeously to requests for information.
- Many information officers, especially those from government ministries, are reluctant to provide written responses.
- Most information officers, especially from government ministries, were reluctant to respond to questions on record, preferring instead to have the minister speak for their ministry, even on non-policy issues.



# DETAILED FINDINGS

## 1. LAND ADMINISTRATION AUTHORITY

### CATEGORY 1: WEBSITE

[www.laa.org.ls](http://www.laa.org.ls)

The website is interactive, comprehensive and offers up-to-date information as well as insight into the organisation. The organisation is active on social media platforms (Facebook and Twitter) and frequently posts information and updates.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 18/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Land Administration Authority (LAA):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your organisation?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that LAA is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about your organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from LAA?
  - On a scale of 1-10, how efficient is LAA in serving the public?

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

**Total score: 2/20**

## 2. LESOTHO ELECTRICITY COMPANY

### CATEGORY 1: WEBSITE

[www.lec.co.ls](http://www.lec.co.ls)

The website is up-to-date and contains relevant information about the organisation's history as well as recent news.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Some of the information needs to be updated as it refers to unavailable links.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		

n = 20	Yes	No	Partial	Additional information
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 13/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Lesotho Electricity Company (LEC):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your organisation?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that LEC is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about your organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from LEC?
  - On a scale of 1-10, how efficient is LEC in serving the public?

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

**Total score: 4/20**

### 3. LESOTHO HIGHLANDS DEVELOPMENT AUTHORITY

#### CATEGORY 1: WEBSITE

[www.lhda.org.ls](http://www.lhda.org.ls)

The website is one of the best surveyed. It is up-to-date and contains information about the organisation, covering topics such as history, policies, legal framework, and tendering and employment procedures. It is active on social media sites (Facebook, Google Plus and Twitter) and regularly posts information and updates.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 18/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Lesotho Highlands Development Authority (LHDA):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your organisation?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that LHDA is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about your organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from LHDA?
  - On a scale of 1-10, how efficient is LHDA in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Manager
2. Did the organisation reply within 21 days?		X		

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 2/20

## 4. LESOTHO REVENUE AUTHORITY

### CATEGORY 1: WEBSITE

[www.lra.org.ls](http://www.lra.org.ls)

This website is very comprehensive and contains a wealth of information about the organisation. It has interactive features enabling users to submit feedback. The site is linked to various social media platforms (Facebook, Twitter, LinkedIn and Youtube) which contain comprehensive information and are updated frequently.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 18/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Lesotho Revenue Authority (LRA):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your organisation?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that LRA is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about your organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from LRA?
  - On a scale of 1-10, how efficient is LRA in serving the public?

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

**Total score: 4/20**

## 5. MINISTRY OF COMMUNICATIONS, SCIENCE AND TECHNOLOGY

### CATEGORY 1: WEBSITE

[www.gov.ls/ministry-of-communications-science-and-technology](http://www.gov.ls/ministry-of-communications-science-and-technology)

The website offers a brief overview of the ministry's aims and objectives. The only updated information seems to be that of the current minister. There are no links to social media sites specific to this ministry, just a general link to Facebook for COVID-19 updates.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		

n = 20	Yes	No	Partial	Additional information
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 4/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Communications, Science and Technology:

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The ministry's daily or basic functions?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that the ministry's strategies and plans are responsive to the public's access to information needs?
  - What has influenced the recent plan to centralise government's information management by ensuring that all ministries' information officers are answerable to the Ministry of Communications, Science and Technology?
  - When did this initiative start?
  - What will be its advantages and/or disadvantages?
  - How is it being received by respective ministries as well as the information officers themselves?
  - On a scale of 1-10, how efficient is the Ministry of Communications, Science and Technology in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Director of Information
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?		X		

n = 20	Yes	No	Partial	Additional information
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?			X	Some responses were vague and repetitive.

**Total score: 13/20**

## 6. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE

[www.gov.ls/ministry-of-health](http://www.gov.ls/ministry-of-health)

The website of this ministry is shallow and lacks information and structure, although it does contain a few news articles. The most up-to-date information is about office bearers. It does not have linked social media accounts.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Most of the recent information on the site is about office bearers, such as the Minister.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 7/20**



## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Health:

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The ministry's daily or basic functions?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that the ministry's strategies and plans are responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about the Ministry of Health?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from LRA?
  - On a scale of 1-10, how efficient is the Ministry of Health in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Chief Information Officer
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	The information officer was out of office until August 2020.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 5/20**

## 7. NATIONAL MANPOWER DEVELOPMENT SECRETARIAT

### CATEGORY 1: WEBSITE

[www.scholarships.manp.gov.ls](http://www.scholarships.manp.gov.ls)

The website is a user-specific platform primarily meant to serve the needs of existing and potential students. The website has no links to social media sites. It does, however, carry up-to-date information relevant to its target audience.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 6/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to National Manpower Development Secretariat (NMDS):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your organisation?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that NMDS is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about your organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from NMDS?
  - On a scale of 1-10, how efficient is NMDS in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Information Officer
2. Did the organisation reply within 21 days?		X		

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 4/20

## 8. NATIONAL UNIVERSITY OF LESOTHO

### CATEGORY 1: WEBSITE

[www.nul.ls](http://www.nul.ls)

The website contains up-to-date information about the organisation and its operations. It has various interaction and feedback features, although it does not have linked social media sites.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 16/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to National University of Lesotho (NUL):

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of NUL?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that NUL is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about you as an organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from NUL?
  - On a scale of 1-10, how efficient is NUL in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Director of Communications and Marketing
2. Did the organisation reply within 21 days?			X	They agreed to attend to request for information almost instantly.
3. Did the organisation respond to the request for information?			X	The officer promised to attend to the questions sent.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	Officer claimed to be alone in the office and was overloaded with work, although said he was willing to supply the information requested.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?			X	Motive for information request was not questioned although the information did not come through.
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		None received.

**Total score: 8/20**

## 9. OFFICE OF THE PRIME MINISTER

### CATEGORY 1: WEBSITE

[www.gov.ls/prime-ministers-office](http://www.gov.ls/prime-ministers-office)

The website is basically a link to the main government site, on which various government ministries are linked. It therefore has limited specific information but has many links to other departments and ongoing government projects. It is linked to a government spokesperson Facebook page which addresses general federal issues, most of which are actually a duty of the Office of the Prime Minister.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Most of the most recent information on the website concerns office bearers.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Office of the Prime Minister:

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of your office?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that the Office of the Prime Minister is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about the Office of the Prime Minister?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - On a scale of 1-10, how efficient is the Office of the Prime Minister in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Communication and Publicity Coordinator
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		They promised to respond each time they were reminded.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?			X	They appeared willing to cooperate, however no information was received.
9. Did the organisation acknowledge the request for information within 7 days?	X			They did, however no information was received.
10. Was the information received clear and understandable?		X		No information was received.

**Total score: 9/20**

## 10. WATER AND SEWAGE COMPANY

### CATEGORY 1: WEBSITE

[www.wasco.co.ls](http://www.wasco.co.ls)

The website is up-to-date and contains information relating to the organisation and its operations. It has interactive features. The organisation has active social media sites, which are regularly updated (their Facebook page in particular).

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			

n = 20	Yes	No	Partial	Additional information
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Water and Sewage Company (WASCO)

- Since the outbreak of the COVID-19 pandemic, what has been its impact on:
  - The daily or basic functions of WASCO?
  - The information dissemination?
  - Have there been any reported cases amongst members of staff or their close contacts?
  - To what extent could you say that WASCO is responsive to the public's access to information needs?
  - Do you have a public response/feedback platform through which to assess the public's views about you as an organisation?
  - Do you have active cyberspace platforms – website, social media (such as Facebook, Twitter or Instagram), for people to access information about your services? If so, how effective are they? If not, why?
  - Do you have a sense of, or idea as to whether, the public is satisfied by the service received from WASCO?
  - On a scale of 1-10, how efficient is WASCO in serving the public?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			Officer responsible said she was not in office, and hence could not attend to the questions.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		Information was not provided.
9. Did the organisation acknowledge the request for information within 7 days?		X		They did respond, but no information was provided.
10. Was the information received clear and understandable?		X		The request for information was turned down on the basis that officer responsible was away.

**Total score: 6/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Land Administration Authority	18	2	20
2. Lesotho Electricity Company	13	4	17
3. Lesotho Highlands Development Authority	18	2	20
4. Lesotho Revenue Authority	18	4	22
5. Ministry of Communications, Science and Technology	4	13	17
6. Ministry of Health	7	5	12
7. National Manpower Development Secretariat	6	4	10
8. National University of Lesotho	16	8	24
9. Office of the Prime Minister	11	9	19
10. Water and Sewage Company	16	6	22

## RESEARCH CONCLUSION

This year's edition of the MISA Transparency Assessment was done against the backdrop of the global COVID-19 pandemic. As a result, the already unfavourable situation regarding access to information in Lesotho worsened.

It seems as though many government ministries have taken advantage of the situation and several responses to requests for information were declined. There is therefore a need for legal framework to enforce access and receipt of public information, which will hopefully come to pass during the multi-stakeholder national reforms programme.

## RECOMMENDATIONS

- Public and government organisations need to accept that information in their custody does not belong to them, and realise that they are merely custodians of this information on behalf of the public whom they serve. Organisations need to improve their information sharing efforts in order to ensure that anyone seeking information receives it.
- It is further recommended that organisations frequently update their websites with accurate and relevant information.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN LESOTHO

Although it recorded similar scores to the Ministry of Health, the National Manpower Development Secretariat is the most secretive organisation, because its website contains no information about the organisation. Regarding the request for information, the secretariat confirmed receipt of the request, but there was no further communication. No information was received from them.

**Therefore, the 2020 Golden Padlock Award goes to the National Manpower Development Secretariat.**



### THE MOST OPEN PUBLIC ORGANISATION IN LESOTHO

The website of the National University of Lesotho contains relevant up-to-date information as well as interactive features. Although they did not supply the information requested, they were very prompt in responding to the information request. The reason given for non-supply of information was the officer was alone in the office and was overloaded with work.

**Therefore the 2020 Golden Key Award for goes to the National University of Lesotho.**





# MALAWI

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Access to information enables citizens to make informed decisions and fully participate in democratic processes. This right to information is enshrined in the Constitution of Malawi, provided for in Sections 36 and 37, as follows:

- Section 36: *The press shall have the right to report and publish freely, within Malawi and abroad, and to be accorded the fullest possible facilities for access to public information.*
- Section 37: *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 rights.*

However, despite this, Malawians still struggle to access public information. Secrecy and withholding of public information seems to be common practice among public organisations.

In 2014, Malawi adopted the National Access to Information Policy and in 2016, the national assembly passed the Access to Information (ATI) Bill. The bill was assented by former President Peter Mutharika in February 2017, but since then no date has been set for the operationalisation of the act by the Minister of Information.

However, on a positive note, the current President Lazarus Chakwera and the new Minister of Information, Gospel Kazako, have separately promised to ensure that the act is operationalised.

In the meantime, MISA Malawi has been implementing different programmes aimed at making both general citizens and public officers understand the importance of an ATI Act in social accountability and the consolidation of democracy. The initiatives implemented include community dialogue sessions, district interface meetings, radio programmes and the training of information officers.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The aim of this study was to assess the state of access to information in Malawi. Specifically, it sought to examine the level of openness and ability of public organisations to provide requested information. Ten organisations were surveyed between June and August 2020.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

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

### LIMITATIONS OF THE STUDY

- Some public organisations requested justification from the researcher as to the reasons for requesting information.
- The culture of secrecy serves as a barrier to access of information.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Blantyre City Council
2. Lilongwe City Council
3. Malawi Electoral Commission
4. Malawi Energy Regulatory Authority
5. Ministry of Agriculture and Food Security
6. Ministry of Education, Science and Technology
7. Ministry of Health and Population
8. Ministry of Information and Communications Technology
9. Ministry of Local Government and Rural Development
10. Mzuzu City Council

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- The online presence of public organisations has improved.
- Eight of the public organisations surveyed have functional websites, most of which contain up-to-date information.
- Public organisations are opening up to queries and feedback, and their online platforms provide electronic mechanisms for this.
- All organisations seem to recognise the importance of having a presence on social media platforms.
- Public organisations are not open to sharing information online about their budget, expenditure, issues of procurement and signed contracts.

### Category 2: Requests for information

- Less than half of the organisations surveyed responded to information requests.
- Most organisations acknowledged receipt of the request.
- Almost all organisations do not use the official email addresses provided on their website.

# DETAILED FINDINGS

## 1. BLANTYRE CITY COUNCIL

### CATEGORY 1: WEBSITE

[www.bccmw.com](http://www.bccmw.com)

The website is up-to-date and contains important information, including a copy of the Communication Strategy, which the council developed in response to the ATI Act. The council also has social media accounts (Facebook and Twitter), but these are not frequently updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	There is no information on signed contracts.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours are not supplied.
9. The contact details of specific public officials?	X			Mayor, chief executive officer, some councillors and other city council officials
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 14/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Blantyre City Council:

- What notable challenges is Blantyre City Council facing in the enforcement of COVID-19 preventive measures?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and social media platforms?
- What is Blantyre City Council's 2020-2021 budget and how much has been allocated to road construction?
- How much did the council generate through city rates and other revenue-generating initiatives during the 2019-2020 financial year?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public relations manager

n = 20	Yes	No	Partial	Additional information
2. Did the organisation reply within 21 days?	X			The organisation responded within 5 days.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 18/20**

## 2. LILONGWE CITY COUNCIL

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. This organisation also has a Facebook page which is regularly updated. Both platforms have a mechanism to request or receive information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	Although the website has information about projects, it does not provide comprehensive reports about such projects.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	There is no information on signed contracts.
7. Information about vacancy and employment procedures?	X			

n = 20	Yes	No	Partial	Additional information
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 13/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Lilongwe City Council:

- What notable challenges is Lilongwe City Council facing in the enforcement of COVID-19 preventive measures?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and social media platforms?
- What is Lilongwe City Council's 2020-2021 budget and how much has been allocated to construction of roads in the city?
- How much did the council generate through city rates and other revenue-generating initiatives during the 2019-2020 financial year?

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

**Total score: 4/20**

### 3. MALAWI ELECTORAL COMMISSION

#### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. The organisation has social media accounts (Facebook and Twitter). Of these, only the Facebook page is regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?			X	There were no advertised vacancies and employment procedures at the time of assessment, but the website did provide a section for it.
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Malawi Electoral Commission:

- How much did the Malawi Electoral Commission spend on the Presidential Election Case at the Constitutional and Supreme Court of Appeal?
- Why did Fresh Presidential Election candidates pay nomination fees, after paying the same in 2019?
- What were some of the major challenges that the Malawi Electoral Commission faced during the 2020 Fresh Presidential Election?
- Were foreign observers invited for the 2020 Fresh Presidential Election?
- When is the Malawi Electoral Commission expected to conduct by-elections in four constituencies and wards that fell vacant after 2019 parliamentary and local government elections?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Director of Media and Public Relations
2. Did the organisation reply within 21 days?	X			The organisation responded within 26 hours of receiving the request for information.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			It's part of the organisation's open policy.
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 17/20**

## 4. MALAWI ENERGY REGULATORY AUTHORITY

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. This organisation also has social media accounts (Facebook, Twitter and Youtube). Of these, only the Facebook page is regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			



n = 20	Yes	No	Partial	Additional information
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Malawi Energy Regulatory Authority:

- What are some of the Malawi Energy Regulatory Authority's notable achievements during the past year?
- How many independent power producers are operational in Malawi?
- What is the annual budget of the Malawi Energy Regulatory Authority?
- Does the Malawi Energy Regulatory Authority have a communications strategy?
- How often does the Malawi Energy Regulatory Authority update Malawians on fuel and electricity prices?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?	X			The organisation responded within 26 hours of receiving the request for information.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 16/20**

## 5. MINISTRY OF AGRICULTURE AND FOOD SECURITY

### CATEGORY 1: WEBSITE

[agriculture.gov.mw](http://agriculture.gov.mw)

The website was not up-to-date at the time of the survey. The organisation has social media accounts (Facebook, Twitter and YouTube). However, none of these are regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?			X	There are some policy documents.
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	There are some tender procedures but no signed contracts.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Agriculture and Food Security:

- What was the ministry's budgetary allocation for the year 2019-2020, and how much was disbursed?
- During the four-month provisional budget tabled by the Minister of Finance, he mentioned a fertiliser subsidy for 3.5 million smallholder farmers. How is the Ministry of Agriculture going to identify the beneficiaries of this subsidy?
- How does the ministry relay information about its projects to the general public?
- What are some of the notable achievements that the ministry has registered in the past five years?
- What are some of the notable challenges affecting the work of the ministry?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			

n = 20	Yes	No	Partial	Additional information
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 17/20**

## 6. MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. This organisation also has social media accounts (Facebook and Twitter) which are regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Education, Science and Technology:

- How much has the ministry received to facilitate e-learning or radio learning during the COVID-19 pandemic?
- How many learners (of both primary and secondary schools) are able to access e-learning or radio learning lessons in the absence of physical learning due to COVID-19?
- What are the notable challenges that the ministry is facing in the provision of primary and secondary school education?
- When are schools expected to reopen?
- What was the proposed budgetary allocation for the Ministry of Education for the year 2019-2020 and how much was disbursed to the ministry?

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

**Total score: 4/20**

## 7. MINISTRY OF HEALTH AND POPULATION

### CATEGORY 1: WEBSITE

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

The website is up-to-date and contains a lot of information on COVID-19. The organisation also has social media accounts (Facebook and Twitter) which are frequently updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			

n = 20	Yes	No	Partial	Additional information
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?				
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Health and Population:

- The government announced it needed \$194 million to fund its National COVID-19 Preparedness and Response Plan. How much of this amount has been raised?
- How many COVID-19 testing centers does Malawi have?
- Are private health centers allowed to test people for COVID-19? If yes, are those tests considered in the daily COVID-19 updates released by the Ministry of Health?
- What are the ministry's plans to scale up COVID-19 testing and information dissemination?
- Does Malawi have enough financial and material resources for frontline health workers during the COVID-19 pandemic?

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

**Total score: 4/20**

## 8. MINISTRY OF INFORMATION AND COMMUNICATIONS TECHNOLOGY

### CATEGORY 1: WEBSITE

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

The website was inactive at the time of this assessment. However, the Malawi Government website ([www.malawi.gov.mw](http://www.malawi.gov.mw)) provided some information on this ministry, which the survey therefore relied upon.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?		X		
9. The contact details of specific public officials?	X			Principal Secretary
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 4/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Information and Communications Technology

- What are some of the notable achievements that the ministry has registered in the past year?
- What are some of the notable steps that the ministry has undertaken in preparation for the implementation of the access to information law?
- What is the ministry doing to ensure that Malawi Broadcasting Corporation and Malawi Communications Regulatory Authority are free from political interference?
- Does the ministry have a communications strategy?
- Malawi is grappling with misinformation or fake news. How is the ministry dealing with this problem?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		The ministry officials referred the requester to each other and it is unclear who is supposed to receive requests.
2. Did the organisation reply within 21 days?		X		

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

Total score: 2/20

## 9. MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT

### CATEGORY 1: WEBSITE

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

The website does not contain up-to-date information. However, the organisation has a Facebook page, which is regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	Links to some reports are not active.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 10/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Local Government and Rural Development:

- What are some of the notable actions the ministry has undertaken to ensure that local councils have the requisite skills to generate and manage resources?
- Does the ministry have a communications strategy?
- Some audit reports have shown abuse of funds in local councils. What steps has the ministry taken to ensure that councils are transparent and accountable?
- What are some of the achievements that the ministry has registered during the past five years?
- What was the proposed budgetary allocation for the ministry for the year 2019-2020, and how much was disbursed to the ministry?

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

**Total score: 2/20**

## 10. MZUZU CITY COUNCIL

### CATEGORY 1: WEBSITE

Mzuzu City Council does not have a website. The council, however, has a Facebook page and Twitter account, the latter of which seems to be more regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		



n = 20	Yes	No	Partial	Additional information
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Working hours not provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	Facebook page allows for messaging.

**Total score: 3/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Mzuzu City Council:

- What notable challenges is the Mzuzu City Council facing in the enforcement of COVID-19 preventive measures?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and social media platforms?
- What is the Mzuzu City Council's 2020-2021 budget and how much has been allocated to road construction?
- How much did the council generate through city rates and other revenue-generating initiatives during the 2019-2020 financial year?

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

**Total score: 2/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Blantyre City Council	14	18	32
2. Lilongwe City Council	13	4	17
3. Malawi Electoral Commission	16	17	33
4. Malawi Energy Regulatory Authority	12	16	28
5. Ministry of Agriculture and Food Security	11	17	28
6. Ministry of Education, Science and Technology	11	4	15
7. Ministry of Health	11	4	15
8. Ministry of Information and Communications Technology	4	2	6
9. Ministry of Local Government and Rural Development	10	2	12
10. Mzuzu City Council	3	2	5

## RESEARCH CONCLUSION

The study shows that most public organisations recognise the role of websites and online platforms in the promotion of access to information and accountability. However, there is still a lot of secrecy as none of the websites surveyed contained information on issues such as budget, expenditure, procurement or signed contracts. Public organisations seem to post updated information to their social media accounts more regularly than their websites.

Only four organisations responded to the requests for information. One organisation even indicated that some officers believe public information is to be requested by journalists only. Three organisations refused to provide information without questioning the aims and motivations of the applicant.

Another notable finding during the study was that most online contact details, more especially email addresses, are either not active or are not attended to by responsible officers.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN MALAWI

Mzuzu City Council has no website and did not provide relevant and up-to-date information on its social media accounts (Facebook and Twitter). The council also failed to acknowledge the request for information.

**Therefore, the 2020 Golden Padlock Award goes to the Mzuzu City Council.**



### THE MOST OPEN PUBLIC ORGANISATION IN MALAWI

The website of the Malawi Electoral Commission contained up-to-date information, as did its Facebook page. This organisation not only provided a response to the written information request, but did so timeously. Their online presence and comprehensive responses to specific information requests set this organisation apart.

**Therefore, the 2020 Golden Key Award goes to the Malawi Electoral Commission.**

## RECOMMENDATIONS

- Although most public organisations are working hard to achieve online presence, they do not always share relevant information. Public organisations need to be transparent and accountable on issues of how public funds are being used in these organisations, and this information should be made available on their websites.
- There is a need to organise and conduct ATI training for the officers responsible for receiving and responding to information requests in public organisations. This will enable officers to appreciate the importance of proactive disclosure in public information management.
- It is also imperative that public organisations have functional and frequently monitored contact details available on their online platforms to ensure that information requests that citizens send through such mechanisms are attended to.



# MOZAMBIQUE

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

ENGLISH VERSION

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

It has been roughly five years since Mozambique introduced the Right to Information Law (LEDI) – Act No. 34/2014, of 31 December – a sign of government commitment to the opening of organisations holding information of public interest. It goes without saying that making information available is an important indicator of the consolidation of democracy and good governance. The commitment of public authorities to the implementation of LEDI therefore entails the need to strengthen democratic principles.

However, despite a legal framework that underlies the opening of organisations, becoming proactive in providing information, a number of incidents of resistance were noted. Notwithstanding the existence of LEDI, as a rule, legislation governing the making of information available still suffers from elements that hinder its effective implementation. One of the most significant examples of this is Act No. 12/79, of 12 December – the Law on State Secrecy – and, above all, the way in which it is interpreted and the abusive manner in which it is applied to prevent access to information, over and above issues related to the limitations arising from appeals procedures, imposed by law, as reported in a recent study carried out by MISA, the Bar Association, Sekelekani [communication for development NGO] and the Observatory of the Rural Environment<sup>1</sup>.

State secrecy stood out among the various reasons put forward for the withholding of information, used as a tool to limit the free flow of information and, sometimes, to arrest and assassinate academics, political opponents and journalists.

In a context in which the Mozambican State faces – on the one hand – a loss of credibility among its financial partners due to the discovery of a loan obtained illegally and – on the other – ever spreading military conflicts in the north and centre of the country, the margin of opportunity for organisational openness to the idea of access to public interest information has a tendency to shrink. Furthermore, the announcement of the discovery of huge gas and coal deposits and the

expectation of exploiting these resources seems to have reinforced a discourse around the reconstitution of the authoritarian regime characterised primarily by intensified violence and a tendency to close the mechanisms for information sharing and transparency.<sup>2</sup>

From the point of view of reorganising organisations to create the conditions for the implementation of the LEDI, it seems that there is no government strategy to strengthen internal administrative procedures. The research data are indicative of the absence of organisational mechanisms for information management. Thus, despite a considerable degree of dissemination of LEDI, there are still challenges in terms of implementation, i.e., physically organising the information and making it available. In many organisations there is a near complete absence of archives, spaces in which to peruse documentation, dedicated staff to handle requests for information or a system to locate and retrieve documents.

The growth in the use of online media, specifically websites and social media, is quite significant in the organisations that were evaluated. While websites tend to provide information on the organisations' operations, social media pages are used to showcase, in infographics, the activities of those organisations. However, it is clear that the use of online media still lacks a professional touch and clear strategies. A large number of the organisations share information through these channels on a seasonal basis, without a timetable or a clear categorisation of the information posted.

Overall, it can be said that the release of information is improving due to the growth of online platforms, but this growth is very slow and requires bold actions to improve information sharing mechanisms – what the Mozambican law and international principles call *proactive information delivery* – for the sake of transparency, good governance, and for the consolidation of democracy.

<sup>1</sup> SEKELEKANI, OAM, MISA E OMR, Lei do Direito a Informação, as Cadeias de Valor: Relatório de Monitoria da Implementação da Lei nº34/2014, de 31 de Dezembro, Maputo, 2020

<sup>2</sup> Carlos Nuno Castel-Branco, *Growth, capital accumulation and economic porosity in Mozambique: social losses, private gains*, Review of African Political Economy, vol. 41 / 1, 2014, p. 26-48.

## RATIONALE AND RESEARCH PARAMETERS

This study was carried out after an intense period in Mozambican politics, namely the holding of the 2018 local elections and the 2019 legislative, presidential and provincial elections. As a result of these political processes, structures of government have changed profoundly. A sustainable peace negotiation process between the Government of Mozambique and the Renamo party resulted in yet another amendment to the 2004 Constitution to accommodate a new form of local government. A major amendment pertains to changes to the way in which Provincial Governors are appointed, henceforth being elected through the Provincial Assemblies. A new State Representation body was created at provincial level, namely the Provincial Secretariat of State. These structures of government contributed to the creation of an environment of uncertainty about forums for making information available. At the local level, the remit of the powers of the Provincial Government, the Secretary of State and the Municipalities are confusing not only to these local government structures, but to the citizen, as to where to request specific information about what procedures.

Over and above changes to the structures of local government, the elections brought about changes in the leadership of organisations, both at the level of local bodies as well as at the central level, such as the appointment of, for example, new ministers, and other changes resulting from new appointments. In a situation characterised by a low level of organisational entrenchment of principles of governance and, above all, excessive centralisation in leadership structures, these changes strongly alter the nature of their functioning. These changes influence the functioning of organisations and their relationship with the citizen.

The findings of the survey will help MISA design more intervention actions to improve the implementation of LEDI and the procedures for making information of public interest available. Five years after the enactment of the law, there is every interest in understanding the most significant changes in the process, the best practices to be reproduced and strengthened to improve the transparency of public organisations, enabling better access to information and exploring new technologies. The basic assumption is that Democratic Rule of Law must assert itself through the exercise of transparency and the provision of information as basic principles for citizen participation in public life.

Ten organisations were included in the evaluation, applying the principle of continuity, by including some organisations that were part of previous evaluations, carried out in 2018 as well as some from 2016 and 2017. It should be borne in mind that there was no evaluation on open and secret organisations in 2019. The continuity factor of the evaluation made it possible to monitor and analyse the degree of learning, a product not only of the passage of time, but also of initiatives carried out by MISA Mozambique. In some of these, as was the case of Moçambique Celular, MISA Mozambique carried out lobbying actions, as it also did in the case of the City of Matola, which in 2018 was awarded the distinction of the *'most secret institution'* (golden padlock). The entire process of evaluating organisations was informed and bounded by the Mozambican legal framework governing access to information and making information available.

## METHODOLOGY

The research on open and secret organisations follows a basic cross-methodology criterion. Basically, it has two fundamental guidelines addressing: (i) the assessment of the organisations' websites based on the idea that all organisations have a mechanism for proactive delivery of information and to handle requests for information. In this regard, the research consisted of monitoring the organisations' websites for 21 days (time frame defined in law for government organisations to respond to requests); (ii) the information request form addressed to the organisation. The purpose of the forms is twofold, serving to capture the nature of handling requests for information and to log observations during face-to-face visits on-site.

Despite the existence of the forms, there was a need for adaptations according to the legal framework governing the management and release of information in Mozambique. In this respect, the study started with desk research of the legal framework to define the limits and adjustment of the evaluation parameters according to the specifications of the Mozambican framework of access, management procedure and proactive provision of information of public interest. This methodology was complemented by a review of the literature on experiences of similar assessments.

Once the research framework was defined and, more importantly, the parameters were specified, ten public organisations were selected from among national and local entities, including enterprises in which the State is a shareholder.

In terms of the sequence of the process, there were, as always, three basic phases:

- The first phase consisted of sending letters to organisations with one or more requests for information of public interest. The subject matter of the requests sent to the organisations was formulated according to relevance and topicality in terms of public interest. All information request letters were sent on 23 and 24 June 2020. A period of 21 working days was allowed for responses before closing this phase, according to the legislation, therefore, on 22 of July 2020.
- While waiting for responses to the requests for information, an analysis was done of each organisation's website. We monitored not only how often information was updated, but also the relevance of information and documents made available online. As part of this process, we checked if the organisations were on social media and how relevant their use of the platform was.
- Lastly, semi-structured interviews were conducted at all organisations with those responsible for information management or other people designated for the task. During the interviews, note was taken of where information was stored and of the designated spaces for perusal of documents.

## ORGANISATIONS SURVEYED

The following organisations were part of the assessment of access to information:

1. Matola City Council
2. National Research Fund
3. Institute for the Management of State Holdings
4. National Institute of Land Transport
5. Ministry of Agriculture and Rural Development
6. Ministry of Economy and Finance
7. Ministry of Health
8. Ministry of Public Works, Housing and Water Resources
9. Ministry of Mineral Resources and Energy
10. State Secretariat for Youth and Employment

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- There is a growing trend to use websites and social media for interaction with the public.
- Many organisations have improved in terms of sharing information on their websites.
- There is more news and infographic information rather than relevant documents to share with the public.
- Many websites are not well maintained.
- Lack of a management and maintenance timetable for the websites; some websites depend on volunteers to populate the site.
- Difficulty in covering the costs of running and hosting the site.
- Almost all the organisations had difficulty in interacting through online channels.

### Category 2: Requests for information

- There is still no specific structure responsible for receiving, forwarding, processing and responding to requests for information within public and state organisations, which makes it difficult for those receiving the requests to identify the department holding the requested information to which the request should be forwarded. Consequently, requests end up circulating from department to department.
- In all organisations, requests are filed at the Reception, General Secretariat or the Communication and Public Relations Departments.
- Organisations have mechanisms to control incoming requests, through service counters or the office assistants of the organisations, but there is poor control of requests by citizens once these enter internal circulation which results in requests being lost.
- In many organisations, there prevails an excess of centralisation of information in the person of the top leadership of the institution, which means that requests take more time in circulation, complying with the *bottom-to-top* and then *top-to-bottom* hierarchy. So, first the request received is sent to the head of the sector, who sends it to the director, the director in turn sends it to the deputy minister and

finally to the minister. The minister devolves the request down to the director of the sector, who in turn sends it down to the head of the department, then to the clerical officers who process the information. After processing, the same hierarchal path is followed up to the minister, before being sent to the citizen who requested it. This process takes more than 21 days.

- All organisations have spaces and human resources to handle requests for information, such as libraries or information archives.
- In some organisations, an authorisation by the Chairman of the Board of Directors is not sufficient for the release of information, which also requires an authorisation by the portfolio director. This means that even if there is an instruction from the manager, it can take a long time for the information to be released, when middle management are not in agreement.
- We were pleased to note that all organisations that responded to requests took care to do so within the timeframe set by law.



# DETAILED FINDINGS

## 1. MUNICIPAL COUNCIL OF THE CITY OF MATOLA

### CATEGORY 1: WEBSITE

The Municipal Council of the City of Matola does not have a functioning website. Despite being present on social media, namely on Facebook, the information provided does not include details about the organisation. The information is mostly about events related to the Mayor.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?		X		
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Municipal Council of Matola:

- The complete contract for the commercial running of the space of the municipal garden "Parque dos Poetas", in the city of Matola.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		All information is filed at the Reception of the City Council.
2. Did the organisation reply within 21 days?		X		The request was received at reception, but then forwarded to the Health Inspection Department. This department forwarded it to the Management Unit for Procurement Implementation, who did not receive the request.

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	A statement from the City Council alerting the public to the existence of a land sale scam was displayed at their offices.
8. Did the authority provide information without questioning the aims and motivations of the applicant?				N/A
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?				N/A

**Total score: 1/20**

## 2. NATIONAL FUND FOR RESEARCH

### CATEGORY 1: WEBSITE

[www.fni.gov.mz](http://www.fni.gov.mz)

The National Research Fund of Mozambique has a website with updated and relevant information, especially with regard to activities. However, it is not very informative about internal processes such as budget and reports on internal procedures of the organisation. It is also on social media, with a particular focus on Facebook. However, the information is not updated; its last publication was on 13 June 2017. It also has a YouTube channel, but without content, other than a video about the organisation.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?				It does not provide any legislation or other documents.
4. Copies of reports, policies or programmes?		X		The website says almost nothing about the fund. It focuses on external calls for applications from interested parties applying for research grants.

n = 20	Yes	No	Partial	Additional information
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	It has detailed information on tenders for research funding, etc.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the National Research Fund:

- The Project Financing Report for the year 2019, setting out the nature of the projects, organisations and entities financed; the amounts disbursed and the outcomes achieved.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		Requests are filed at reception and from there they are channelled to the executive director d.
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?				
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		Information on COVID-19 measures and on scholarships was displayed at their premises.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			

**Total score: 10/20**

### 3. INSTITUTE FOR THE MANAGEMENT OF STATE HOLDINGS

#### CATEGORY 1: WEBSITE

[www.box5204.temp.domains/~misamoca/igepe3](http://www.box5204.temp.domains/~misamoca/igepe3)

The Institute for the Management of State Holdings has a website with updated content. It contains some relevant documents, despite a complete absence of information on budgets and expenses. Publication on the website is sporadic. The organisation also has a Facebook page. However the account was created only on 11 September 2019.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Despite having some current data, the website does not indicate the dates of publication.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	Few documents referring to aspects of policies, programmes and reports.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	There are some elements on procurement and tenders for the provision of services, but there are no contracts and/or reports on supplier selection processes.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	There is no online communication channel other than a telephone number; there is no email address.

**Total score: 13/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the National Institute for the Management of State Holdings:

- The Financial Report for the financial year 2019 pertaining to all State holdings.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		The information is filed at reception and from there it is forwarded to the Chairperson.
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			The Chairman of the Board of Directors authorised viewing of the information on 2 July, but the MISA researcher could only view the documents three days after presenting the letter that authorised him. Authorisation from the Chairperson is not sufficient for the provision of information, further authorisation from the director of the information holding department is required.
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 12/20**

## 4. NATIONAL INSTITUTE OF LAND TRANSPORT

### CATEGORY 1: WEBSITE

[www.inatter.gov.mz](http://www.inatter.gov.mz)

The National Institute of Land Transport is an organisation under the supervision of the Ministry of Transport and Communications and has its own website. However, when conducting the research, many of the data categories on the site were not available. It also has a Facebook page, however the last update was made more than a year ago, on 19 June 2019.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the National Land Transport Institute:

- The minutes of the tender award process relating to restricted procedure No. 04/UGEA/INATTER/DPCD/2019, for the rehabilitation and maintenance of INATTER's facilities.
- The contract signed with the winning company for the above mentioned rehabilitation.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		
2. Did the organisation reply within 21 days?	X			INATTER replied that the hiring process had been managed at the level of the Provincial Directorate of Cabo Delgado, within the framework of decentralisation of powers and management.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			

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

**Total score: 6/20**

## 5. MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

### CATEGORY 1: WEBSITE

[www.agricultura.gov.mz](http://www.agricultura.gov.mz)

The website contains updated information of public interest, which is easily to locate and retrieve. The website also contains relevant organisational documents. It even has an electronic magazine, though the last issue was published in 2018. It also has a Facebook page with up to date information. The ministry is on Flickr and YouTube, where it showcases its activities through images, but without any updating.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	The website provides details about tenders and contracts; however it does not provide reports on the selection processes.
7. Information about vacancy and employment procedures?			X	Although there is a category for applications, nothing is said about vacancies and jobs.
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Ministry of Agriculture and Rural Development:

- Mechanisms used for the disbursement of 240 million meticaís in cotton subsidies earmarked by the government in May 2020 for the 2019/2020 campaign.
- The indicative reports on the disbursement of the cited amounts, destined for small farmers.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		
2. Did the organisation reply within 21 days?		X		We were informed that the document was received in the Minister's Office. For his part, the minister dispatched it to the Cotton Institute. No further feedback was received.
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	There is some information available on the structure of the ministry.
8. Did the authority provide information without questioning the aims and motivations of the applicant?				
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 1/20**

## 6. MINISTRY OF ECONOMY AND FINANCE

### CATEGORY 1: WEBSITE

[www.mef.gov.mz](http://www.mef.gov.mz)

The Ministry of Economy and Finance has a relatively up-to-date website, which contains relevant information of public interest, about its organisational structure, the organisations that fall under it, the general accounts of State, as well as key oriented documents on national economic planning. Despite this information, the Ministry should improve the quality of the information made available, taking into account the fact that the reports – on the state's debts and revenues, for example, are not available in greater detail.



n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Information is updated even though there is no clear update schedule.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			The site contains fundamental elements of its structure including local levels.
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	Notwithstanding the availability of a lot of management documents, there are many gaps in reports, such as those related to debts.
5. Information on budget and expenditure?	X			The ministry has all the documents relating to the budget, including the annual general budget of the state.
6. Information about procurement procedures or signed contracts?			X	The ministry does not clearly provide information on the selected candidates and the procedures for signing contracts.
7. Information about vacancy and employment procedures?		X		There is no information on the internal management of human resources.
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Ministry of Economy and Finance:

- The budget plan and the funds mobilised by the government to deal with the COVID-19 pandemic, as well as the criteria for distribution and allocation among key sectors of activity directly involved

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		The information request is delivered to the secretariat
2. Did the organisation reply within 21 days?		X		

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?				N/A
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?				N/A

**Total score: 0/20**

## 7. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE

[www.misau.gov.mz](http://www.misau.gov.mz)

Besides its website, MISAU has an updated Facebook account with news and public information, especially concerning public health matters, with emphasis on COVID-19. The MISAU website is properly updated and has information deemed relevant, although there are no annual and audit reports of the organisation. The information is presented in a clear and well-organised manner and it is easy for the public to access.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?		X		Although there are a number of reports, they are not updated and many are not available.
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?		X		Despite the existence of some information, many elements of procedures, contracts are not available.
7. Information about vacancy and employment procedures?			X	This information is definitely not available

n = 20	Yes	No	Partial	Additional information
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		Contact details, including WhatsApp are limited to the COVID-19 pandemic.

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Ministry of Health:

- The global action plan and its budget to address the COVID-19 pandemic in Mozambique.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	Requests are delivered to the General Secretariat and the head of the General Secretariat is responsible for requests for information made by citizens
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?				N/A
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?				N/A
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?				N/A

**Total score: 1/20**

## 8. MINISTRY OF PUBLIC WORKS, HOUSING AND WATER RESOURCES

### CATEGORY 1: WEBSITE

[www.mophrh.gov.mz](http://www.mophrh.gov.mz)

The website contains relevant information. The ministry is also on Facebook. However, neither of these platforms are updated. The most recent publications date from 2018.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	The most recent publications date back to 2018.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	The reports available are from 2016 and 2017 and all published in 2018. There are no recent documents.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?			X	Only details of a physical address and phone number are available.
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		No email or any other channel for online contact.

**Total score: 9/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Ministry of Public Works, Housing and Water Resources:

- The Public-Private Partnership concession contract with TRAC for the plans, construction, financing, operation and maintenance of a portion of Highway No. 4 from the Republic of South Africa and Highway No. 4 from Ressano Garcia.
- The Public-Private Partnership concession contract with Estradas do Zambeze for the construction, financing, operations and maintenance of the Kassuende and Samora Machel bridges and the N7 and N8-N9-N304 roads.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		All information is filed at the Reception of the Ministry Secretariat.

n = 20	Yes	No	Partial	Additional information
2. Did the organisation reply within 21 days?		X		The receptionist confirmed that the request was received, but did not know which department it had been sent to. He indicated the Office of the Permanent Secretary as the likely destination, however this office had not received it. We were then referred to the Ministry's Procurement Unit, which also had no record of the request. The request remained missing.
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 0/20**

## 9. MINISTRY OF MINERAL RESOURCES AND ENERGY

### CATEGORY 1: WEBSITE

[www.mireme.gov.mz](http://www.mireme.gov.mz)

The Ministry of Mineral Resources and Energy has a website with relatively updated content. It also has a number of contracts for programmes of the ministry. MIREME also has a Facebook page, although it has not been updated. Even though the website has some relevant information, it lacks many important elements and documents about the ministry, such as the Ministry budget for the year 2020.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Despite the absence of a lot of relevant information, the MIREME website is updated.

n = 20	Yes	No	Partial	Additional information
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			Although relevant documents are available, the reports are not organised and their publication is infrequent.
5. Information on budget and expenditure?			X	The budget documents are outdated, with none available for the year 2020.
6. Information about procurement procedures or signed contracts?			X	Even if the tenders and contracts are published, there is an absence of reports on the selection processes.
7. Information about vacancy and employment procedures?		X		The tab for vacancies and jobs has no content.
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Ministry of Mineral Resources and Energy:

- The complete contract with SICPA, a company contracted by MIREME in 2018 to carry out fuel marking (petroleum products) in Mozambique

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		
2. Did the organisation reply within 21 days?	X			MIREME responded but refused to provide the information alleging the following: "The Ministry of Mineral Resources and Energy reiterates that you have the right to receive the requested information, because it is not a matter of State secrecy. however, due to the fact that the process of awarding the public tender, which resulted in the contract in question, is still the subject of a dispute, for the moment it cannot be provided to you; moreover, if the dispute is resolved and the conflict situation is overcome, MIREME can provide the information to any public or private entity that requests it".
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		The information was not provided.
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 8/20**

## 10. STATE SECRETARIAT FOR YOUTH AND EMPLOYMENT

### CATEGORY 1: WEBSITE

[mol.gov.na](http://mol.gov.na)

Very recently created (about six months in existence) as a result of the reshaping of the Ministry of Labour, Employment and Social Security. The Secretariat of State for Youth and Employment does not have any website. Information regarding its activities is difficult to locate using online channels.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		It does not have its own website, some data about the organisation can only be found on the Government Portal.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?		X		
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the State Secretariat for Youth and Employment:

- The number of jobs lost by sector of the economy, as a ratio in terms of the forecasts from April to June 2020, taking into account the impact of COVID-19 in Mozambique.
- The number of new jobs created (including particulars of the 48,000 jobs created since January) broken down by sectors.
- The investment that will be made to preserve jobs in the context of COVID-19.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		Requests are filed at the secretariat, which is shared with the Office of the Secretary of State for Sport.



n = 20	Yes	No	Partial	Additional information
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?				N/A
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?				N/A
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?				N/A

**Total score: 0/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Municipal Council of the City of Matola (CMCM)	0	1	1
2. National Fund for Research (FNI)	11	10	21
3. Institute for the Management of State Holdings (IGEPE)	13	12	25
4. National Institute of Land Transport (INATTER)	11	6	17
5. Ministry of Agriculture and Rural Development (MADER)	16	1	17
6. Ministry of Economy and Finance (MEF)	16	0	16
7. Ministry of Health (MISAU)	11	1	12
8. Ministry of Public Works, Housing and Water Resources (MOPHRH)	9	0	9
9. Ministry of Mineral Resources and Energy (MIREME)	17	8	25
10. Secretary of State for Youth and Employment (SEJE)	0	0	0

## RESEARCH CONCLUSIONS

The findings of this study show a slight progress of public organisations in the process of making information of public interest available, in response to requests for information, when compared to the previous study in 2018. In this study, four out of 10 organisations responded to requests for information, all within the 21 days established by the Right to Information Law. Of these four, two respond satisfactorily, providing all the information requested, two did not. The remaining six organisations kept quiet.

Although the evaluated organisations are still not showing much progress in terms of structural arrangements to handle requests for information – they still do not have dedicated areas in which to examine documents or staff trained specifically in handling citizens' requests for information – we noted considerable progress in the provision of information through websites. The websites of the organisations contain a growing volume of relevant information, but there is still a tendency to not provide information related to financial audit reports, public contracts, public procurement reports, processes that are often the subject of disputes due to lack of transparency.

We also noted that the organisations selected for continuity purposes assessed in earlier evaluations (IGEPE, CMCM, INATTER, MEF and MOPHRH) continue

to face the same organisational difficulties in terms of making information available. In this survey, only two of the five entities that took part in earlier studies responded to requests for information, one acceding to the request (IGEPE) and the other rejecting it (INATTER, which claimed that the tender process had been handled at provincial level in Cabo Delgado). However, there were clear improvements in the information available on their websites.

Some organisations such as CMCM and MOPHRH lost the letters of request for information. When the research team visited the organisations, staff were unable to locate the documents.

Although the organisations do not yet have dedicated spaces and a specific person to receive and respond to requests, we note that most organisations have libraries and communication and public relations departments that can be used as places for access to information.

The law still lacks clear and less bureaucratic mechanisms for accountability of employees who do not respond to requests or do not provide the requested information, which encourages keeping quiet as an option in responding to citizens' requests for information.

The libraries visited contain only internal information of the organisations published in internal newsletters. The rest of the information is quite old.

## RECOMMENDATIONS

- Further rollout of the training of civil servants in the area of the Right to Information Law aimed at holders of public office, key people holding and managing relevant information such as contracts, minutes of public tender awards, reports and accounts.
- Training of directors and heads of legal departments of public enterprises so they can master the Right to Information Law.
- Continuation of training of employees on website management, as well as on prioritising information of public interest, rather than uploading organisational news; when updating websites.
- Dissemination, at all levels, of the directive produced by MISA and CEDIMO with guidelines for employees in the process of making information available through websites.
- Intensification of the plan to raise awareness of organisations holding public information to eradicate the culture of secrecy and fear.
- Adaptation of libraries and archives to serve as spaces in which to examine information in hard copy, with the help of communication departments.
- Continuation of assistance to Government in the dissemination of the Law on the Right to Information and information that must be accessible to the public.
- Review of the Law in order to define clear accountability mechanisms for agents who deny information.
- Continuation of awareness raising among journalists and the public of the need to use the law for information requests.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN MOZAMBIQUE

In most public organisations, information remains very protected and inaccessible to the citizen, despite the training campaign for civil servants carried out in recent years by MISA and the Ministry of Civil Service and Administration. The organisation with the lowest score was the Secretariat of State for Youth and Employment which scored 0 points in both categories.

**Therefore, the 2020 Golden Padlock Award goes to the Secretariat of State for Youth and Employment.**



### THE MOST OPEN PUBLIC ORGANISATION IN MOZAMBIQUE

The Institute for the Management of State Holdings has an updated website and provided the information as requested.

**Therefore, the 2020 Golden Key Award goes to the Institute for the Management of State Holdings.**



# MOÇAMBIQUE

AVALIAÇÃO DA TRANSPARÊNCIA 2020

Análise dos cidadãos sobre a abertura dos governos na África Austral

VERSÃO EM PORTUGUES

# AVALIAÇÃO DA TRANSPARÊNCIA

## INTRODUÇÃO

Passam sensivelmente cinco anos que Moçambique dispõe de uma Lei de Direito à Informação (LEDI) – a lei n.º 34/2014, de 31 de Dezembro – sinal de um engajamento governamental para com a abertura das instituições detentoras de informação de interesse público. Com efeito, a disponibilização de informação é um indicador importante da consolidação da democracia e boa governação. O compromisso das autoridades públicas com a implementação da LEDI implica, portanto, uma necessidade do aprofundamento dos princípios democráticos.

No entanto, apesar de um quadro legal que funda a abertura das instituições para uma disponibilização proactiva da informação, ainda prevalecem práticas de resistências a tal efeito. Aliás, embora exista a LEDI, de forma geral, o regime jurídico de disponibilização de informação enferma ainda de aspectos que dificultam a sua implementação efectiva. Um dos exemplos significativos é a Lei n.º 12/79, de 12 de Dezembro – Lei sobre Segredo de Estado e, sobretudo, a forma como esta é interpretada e usada abusivamente para impedir a acessibilidade da informação; para além das questões ligadas as limitações decorrentes dos procedimentos de recurso, impostas pela lei, conforme relata um estudo recente realizado pelo MISA, a Ordem dos Advogados, Sekelekani e o Observatório do Meio Rural<sup>1</sup>.

Dos diversos motivos apresentados para a recusa da informação, o argumento sobre segredo de Estado serviu como dispositivo para limitar a partilha de informação e, às vezes, para prender e assassinar académicos, opositores políticos e jornalistas.

Num contexto em que o Estado moçambicano enfrenta, por um lado, um descrédito nos seus parceiros financeiros em razão da descoberta de uma dívida contraída ilegalmente, por outro, um alastramento de conflitos militares nos extremos norte e centro do país, a estrutura de oportunidade para abertura das instituições à partilha de informação de interesse público tende a restringir-se. Ademais, o anúncio da descoberta de enormes jazigos de gás e carvão e a expectativa de exploração destes recursos parece ter

reforçado um discurso de recomposição de regime autoritário caracterizado sobretudo por uma violência exacerbada e tendência ao fechamento dos mecanismos de partilha de informação e transparência<sup>2</sup>.

Do ponto de vista de organização das instituições para existência de condições para a implementação da LEDI, parece-nos que os esforços variam muito e tudo indica que não existe uma estratégia governamental para reforço dos procedimentos administrativos internos. Os dados do estudo são indicativos de ausência de mecanismos organizacionais para a gestão de informação. Assim, pese embora algum nível considerável de difusão da LEDI, em termos de implementação, ou seja, em termos de organização e partilha de informação de interesse público continua a ser um desafio. Em muitas instituições os arquivos, os espaços de consulta, a existência de funcionários indicado para lidar com pedidos de informação e sistematização é quase que inexistente.

O crescimento da utilização dos meios virtuais, nomeadamente as páginas web e redes sociais tende a ser significativo nas instituições avaliadas. Enquanto as páginas web, por exemplo, tendem a disponibilizar informações de funcionamento, as páginas das redes sociais têm sido utilizadas para apresentar, em modalidade de infografia, as actividades das organizações. No entanto, é notório que a exploração dos meios virtuais ainda carece de uma profissionalização e desenho de estratégias claras pelas instituições. Grande parte das instituições partilha informação por estas vias de forma sazonal, sem calendário nem categorização clara da exposição das informações.

De todos efeitos e, no geral, pode-se afirmar que há uma tendência de melhoria de partilha de informação por conta do crescimento dos mecanismos virtuais, porém, este crescimento é muito lento e precisa de acções arrojadas para melhoria dos mecanismos de partilha de informação – que a própria Lei moçambicana e os princípios internacionais designam de *prestação proactiva de informação* – para o bem da transparência, boa governação, e para o aprofundamento da democracia.

1 SEKELEKANI, OAM, MISA E OMR, “Lei do Direito a Informação, as Cadeias de Valor: Relatório de Monitoria da Implementação da Lei n.º 34/2014, de 31 de Dezembro”, Maputo, 2020.

2 Carlos Nuno Castel-Branco, « Growth, capital accumulation and economic porosity in Mozambique: social losses, private gains », *Review of African Political Economy*, vol. 41 / 1, 2014, p. 26-48.

## FUNDAMENTAÇÃO E PARÂMETROS DO ESTUDO

O presente estudo foi realizado depois de um período intenso da política moçambicana, nomeadamente a realização das eleições locais de 2018 e as legislativas, presidenciais e provinciais de 2019. Na sequência deste processo político, a estrutura administrativa modificou-se profundamente, a começar pela organização da administração local. Com efeito, um processo de negociação da paz sustentável entre o Governo de Moçambique e o partido Renamo resultou em mais uma emenda da Constituição de 2004 para acomodar uma nova configuração do espaço público local. Uma modificação de relevo circunscreveu-se na alteração das modalidades de indigitação dos Governadores das Províncias que passaram a ser eleitos por via das Assembleias Provinciais ao mesmo tempo que se criava um novo órgão de Representação do Estado a nível das províncias, a Secretaria de Estado na Província. Estas configurações da estrutura administrativa participaram na instauração de um ambiente de incerteza quanto aos espaços de disponibilização de informação. A nível local, as competências de exercício de actividades entre o Governo da Província, o Secretário de Estado e as Autarquias confundem não só a estas estruturas administrativas locais, como ao cidadão sobre onde solicitar a informação específica sobre quais procedimentos.

Para além das alterações nas formas de organização da estrutura administrativa local, as eleições significaram mudanças das lideranças das organizações, tanto a nível dos órgãos locais assim como do nível central como indigitação, por exemplo, de novos ministros e outras alterações no xadrez da estrutura administrativa resultado de novas nomeações. Para um contexto de baixo nível de institucionalização dos princípios administrativos e sobretudo de muita centralização nas lideranças, a alternância destas modifica fortemente a natureza do seu funcionamento. Estas alternâncias influenciam o funcionamento das organizações e a sua relação com o cidadão. Assim, instituições que tinham registado um avanço nas avaliações anteriores baixaram drasticamente sem uma explicação de ordem administrativa estratégica.

Embora se trate de um estudo que cobre uma monitoria anual, em termos de aprofundamento da implementação da LEDI, passam quase cinco anos e, teoricamente, o nível de aprendizagem e socialização do processo de disponibilização pode ser um dado

adquirido pelas instituições detentoras de informação de interesse público. Com efeito, o MISA Moçambique, para além do processo de monitoria, junto com o Ministério da Administração Estatal e Função Pública (através do CEDIMO), tem desenvolvido actividades de apoio a melhoria das capacidades institucionais para gestão de informação. Nestes termos, o estudo procurou fazer uma análise diacrónica da disponibilização da informação pelas instituições públicas e as que gerem informação de interesse público através da LEDI. Assim usou-se como base de comparação o estudo realizado em 2018, mas também dos anos precedentes no sentido de apreender a evolução do processo durante a implementação da lei acima citada.

Os resultados do estudo irão ajudar o MISA a desenhar acções mais interventivas para a melhoria da implementação da LEDI e dos procedimentos da disponibilização da informação de interesse público. Efectivamente, cinco anos depois da promulgação da lei, há todo interesse de apreender as mudanças mais significativas do processo, as boas práticas a serem reproduzidas e aprofundadas para melhoria da transparência das organizações públicas permitindo melhor acesso a informação e explorando as novas tecnologias. O pressuposto básico é que um Estado de Direito Democrático deve-se afirmar através das suas práticas de transparências e disponibilização de informação como princípios básicos para a participação do cidadão na vida pública.

Foram submetidas para avaliação dez (10) instituições observando o princípio de continuidade com a inclusão de algumas instituições compreendidas na última avaliação de 2018, bem como algumas de 2016 e 2017. É preciso sublinhar que em 2019 não houve avaliação sobre instituições abertas e fechadas. A continuidade para avaliação destas instituições permitiu seguir e analisar o nível de aprendizagem, resultado não só da passagem do tempo, mas também das intervenções do MISA-Moçambique. Em alguns casos, como foi o da Moçambique Celular, MISA-Moçambique tinha empreendido acções de pressão como também foi o caso do Município da Cidade da Matola que foi em 2018 galardoado com o reconhecimento de sanção como a instituição mais fechada (cadeado de ouro) das avaliadas naquele ano. Todo processo de avaliação das instituições foi informado e enquadrado pelo regime jurídico de acesso e disponibilização de informação em Moçambique.

## METODOLOGIA

O estudo sobre instituições abertas e fechadas responde a um critério básico de cruzamento de metodologias. Em princípio tem dois guiões fundamentais que correspondem: (i) a avaliação das páginas web das instituições baseando-se na ideia de que todas as instituições dispõem de um mecanismo de disponibilização proactiva da informação e de resposta a pedidos de informação. Neste aspecto, o estudo consistiu no acompanhamento das páginas das organizações durante 21 dias (período definido pela legislação administrativa de resposta a qualquer pedido à administração); (ii) o formulário de pedido de informação endereçado à instituição. Nestes formulários combina-se a natureza de tratamento dos pedidos de informação e as visitas presenciais para observação *in loco*.

Apesar da disponibilização de formulários, houve necessidade de adaptações de acordo com o regime jurídico de gestão e disponibilização de informação em Moçambique. Nestes termos, o estudo partiu de um estudo documental do quadro legal da matéria para delimitação e adequação dos parâmetros de avaliação de acordo com as especificações do regime moçambicano de acesso, procedimento de gestão e disponibilização proactiva da informação de interesse público. Para esta metodologia valeu-se igualmente da complementaridade pela revisão da literatura da experiência de avaliações similares.

Uma vez definido o quadro de investigação e, melhor, precisados os parâmetros, foram seleccionadas dez instituições públicas, entre centrais e locais, assim como empresas participadas pelo Estado. Destas, para um melhor acompanhamento da evolução do processo, manteve-se cinco instituições avaliadas em 2018, nomeadamente Conselho Municipal de Matola, Instituto dos Transportes Terrestres, o Instituto de Gestão de Participações do Estado, o Ministério de Economia e Finanças e Ministério das Obras Públicas, Habitação e Recursos Hídricos. Quanto a este último, a avaliação de 2018 tinha apenas focado numa Direcção do Ministério, a Direcção Nacional de Gestão de Recursos Hídricos. A presente avaliação estendeu-se para todo ministério. Em 2016, foi avaliada a Direcção dos Recursos Humanos do mesmo ministério. Assim, partiu-se do princípio que uma visão holística de todo o ministério podia dar um entendimento generalizado comparado com as avaliações anteriores. Em termos de sequência do processo seguiu-se, como sempre três fases fundamentais, a saber:

- A primeira consistiu no envio das cartas às instituições com um pedido ou mais de informação de interesse público. Os assuntos seleccionados para figurarem dos pedidos às instituições foram conforme a sua pertinência e actualidade para o interesse público. As cartas de pedido de informação foram todas enviadas no dia 23 e 24 de Junho de 2020, tendo-se controlado os 21 dias úteis para o fecho da avaliação do prazo de respostas, segundo a legislação, portanto, no dia 22 de Julho de 2020.
- Durante o processo de espera das respostas aos pedidos de informação, efectuou-se a análise das páginas web de cada instituição. Controlou-se não apenas a regularidade de actualização de informação, mas também a relevância da informação e documentos partilhados por via web. No mesmo processo, acompanhou-se as redes sociais para conferir a presença das instituições e a relevância da utilização destes meios, para além de simulação de interacção por estas vias.
- Por fim, foram realizadas entrevistas do tipo semi-estruturadas em todas instituições com os responsáveis de gestão de informação ou outros actores indicados. Aquando da realização das entrevistas fez-se igualmente um exercício de observação dos espaços de armazenamento e consulta de informação assim como a de procura de documentos ou informação outrora pedidos via cartas.

Foram submetidas à avaliação de acessibilidade de informação as seguintes instituições:

1. Conselho Municipal da Cidade Da Matola
2. Ministério das Obras Públicas, Habitação e Recursos Hídricos
3. Ministério da Agricultura e Desenvolvimento Rural
4. Instituto Nacional dos Transportes Terrestres
5. Fundo Nacional de Investigação
6. Ministério dos Recursos Minerais e Energia
7. Instituto de Gestão das Participações do Estado
8. Ministério da Economia e Finanças
9. Secretaria de Estado da Juventude e Emprego
10. Ministério da Saúde



## RESUMO DAS PRINCIPAIS CONCLUSÕES

### Categoria 1: Análise do site

Durante 21 dias foram analisadas páginas web e de redes sociais das instituições seleccionadas para avaliação. Das análises efectuadas e complementadas por envio de mensagens para pedido de informação, constatou-se o seguinte:

- Há uma tendência crescente de exploração das páginas web e redes sociais para interacção com o cidadão;
- Muitas instituições, sobretudo as que vem sendo avaliadas desde as edições anteriores do estudo, melhoraram na colocação de informação de utilidade pública nas suas páginas web;
- Predominam muito a informação noticiosa e infográfica em lugar de documentos relevantes para partilha com o público.

No entanto, apesar de assinaláveis avanços continuam algumas limitações quanto a gestão das páginas web, que se pode citar algumas:

- Ausência de uma assistência contínua e estratégia de exploração das páginas web;
- Falta de um calendário de gestão e manutenção das páginas, em alguns casos as páginas dependem da vontade de algum funcionário voluntário para colocação de informação;
- Dificuldade de cobrir os custos de exploração e de hospedagem de web;
- Em quase todas instituições foi notória a dificuldade de interagir por vias virtuais;

### Categoria 2: Pedidos de Informação

Formulados 10 pedidos de informação de interesse público para igual número de instituições públicas, analisada a informação recebida e complementados com visitas e entrevistas feitas às mesmas instituições, conclui-se:

- Continua a não existir uma estrutura específica responsável pela recepção, direccionamento, processamento e resposta de pedidos de informação dentro das instituições públicas e estatais, o que dificulta aos recepcionistas a identificação do departamento detentora de informação solicitada para o qual o pedido deve ser encaminhado. Devido a essa dificuldade, os pedidos acabam por circular de departamento em departamento;
- Em todas as instituições, os pedidos são depositados nas Recepção, Secretaria-geral ou nos Departamentos de Comunicação e Imagem;

- As instituições possuem mecanismos de controlo de entrada de pedidos, a partir dos *guichets* ou de assistentes das instituições, mas há fraco rigor no controlo de circulação interna, de departamento em departamento, dos pedidos feitos pelos cidadãos, o que resulta em sua perda ou na dificuldade da sua localização e do possível despacho sobre o mesmo, tal como foram os casos do Município da Matola, Ministério das Obras Públicas, Habitação e Recursos Hídricos e do Fundo Nacional de Investigação;
- Prevalece, em muitas instituições, o excesso de centralização da informação na figura de liderança superior da instituição (ministro, vice-ministro ou director), fazendo com que os pedidos levem mais tempo em circulação, obedecendo a hierarquia *down-top* e depois *top-down*, ou seja, primeiro envia-se o pedido de informação recebida para o chefe do sector, este para o director, o director, por seu turno, para o vice-ministro e finalmente para o ministro. O ministro baixa o pedido para o director do sector e este para o chefe do departamento até aos técnicos que irão processar a informação. Concluído o processamento de informação, segue-se a mesma hierarquia até ao ministro antes de ser enviada para o cidadão que a solicitou. Este processo leva mais de 21 dias;
- Existem, em todas as instituições, espaços e recursos humanos para a disponibilização de informação de interesse público. Por exemplo, todas as instituições possuem bibliotecas ou arquivos de informação, incluindo recursos humanos nesses sectores, que podem ser capacitadas para servirem simultaneamente como responsáveis de informação;
- Em algumas instituições, a autorização do Presidente do Conselho de Administração não é suficiente para a disponibilização de informação, sendo necessário outra autorização do director do pelouro detentor da informação. Isto significa que, mesmo havendo ordem de disponibilização da informação pelo superior hierárquico máximo, a informação pode demorar a ser emanada, quando as lideranças intermédias não estão em concordância;
- Notámos com agrado que todas as instituições que responderam os pedidos tiveram o cuidado de o fazer dentro do prazo fixado pela lei.



# CONCLUSÃO DETALHADAS

## 1. CONSELHO MUNICIPAL DA CIDADE DA MATOLA

### CATEGORIA 1: ANÁLISE DO SITE

O Conselho Municipal da Cidade da Matola não tem nenhuma página web funcional. Apesar de estar presente nas redes sociais, nomeadamente no Facebook (<https://www.facebook.com/municipio.matola>), as informações disponibilizadas não incluem pormenores sobre a instituição. São maioritariamente sobre eventos relacionados com o Presidente do Município. Em concreto, a página Facebook do município se confunde como se de página específica do edil se tratasse.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?		X		
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?		X		
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?		X		
4. Relatórios, políticas e programas?		X		
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?		X		
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?		X		
9. Informação para contacto de específicos funcionários públicos?		X		
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?		X		

**Pontuação total: 0/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Conselho Municipal da Matola:

- O contrato integral da exploração do espaço do jardim municipal “Parque dos Poetas”, da cidade da Matola.

n = 20	Sím	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		Toda a informação é depositada na Recepção do Conselho Municipal
2. A instituição respondeu no prazo de 21 dias?		X		Durante a visita a instituição, fomos informados que o pedido foi recebido na Recepção do Conselho Municipal, mas posteriormente encaminhado para a Direcção de Salubridade. No Departamento de Salubridade informaram-nos que encaminharam o pedido ao Unidade Gestora Executora das Aquisições (UGEA), gestora dos contratos.  Por seu turno, a UGEA disse não ter recebido nenhum pedido de contrato, encaminhado pela edilidade. Esclareceu que os contratos de exploração de parques e jardins não eram por si geridos.  O pedido de informação submetido não foi localizado. Perdeu-se no processo de circulação do mesmo pelos departamentos.
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		
6. A instituição apresentou por escrito as razões da recusa de informação?		X		
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?			X	Durante a visita efectuada, foi possível notar, em todas as vitrinas, um comunicado do Conselho Municipal a denunciar a existência de esquema de venda de terra, no município.
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?				N/A
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?				N/A

**Pontuação total: 1/20**

## 2. FUNDO NACIONAL DE INVESTIGAÇÃO

### CATEGORIA 1: ANÁLISE DO SITE

[www.fni.gov.mz](http://www.fni.gov.mz)

O Fundo Nacional de Investigação de Moçambique (FNI) tem uma página web com informação actualizada e relevante sobretudo no que concerne as actividades viradas para o seu público. Sendo, portanto pouco informativa sobre os processos internos como orçamento, relatórios sobre procedimento internos da instituição. Está presente igualmente nas redes sociais, com particular enfoque no Facebook. Porém na sua página foi possível notar que as informações não são actualizadas, a sua última publicação é de 13 de Junho de 2017. Tem também um canal YouTube, mas sem conteúdo, tem apenas um vídeo de apresentação com 376 visualizações e nunca mais foi usado.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?				Embora tenha a apresentação da visão, missão, objectivos; não disponibiliza nenhuma legislação e outro documento da sua constituição.
4. Relatórios, políticas e programas?		X		A página quase que não informa nada sobre o FNI. Tudo que dispõe é sobre os concursos externos dos interessados aos fundos de investigação
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?			X	Dispõe de informações pormenorizadas para concursos ao financiamento de investigação, etc.
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?	X			

**Pontuação total: 11/20**

### CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Fundo Nacional de Investigação:

- O Relatório de financiamento de projectos durante o ano de 2019, ilustrando a natureza dos projectos, instituições e entidades financiadas, os montantes desembolsados e os resultados alcançados.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		Os pedidos são depositados na recepção da secretaria e a partir dali são canalizados a direcção.
2. A instituição respondeu no prazo de 21 dias?	X			
3. A instituição respondeu ao pedido de informação?	X			
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?	X			
6. A instituição apresentou por escrito as razões da recusa de informação?				
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		No local foi possível apenas ver informação sobre as medidas da COVID-19 e notas de esclarecimentos sobre o concurso de bolsas de investigação
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?	X			
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?	X			

Pontuação total: 10/20

### 3. INSTITUTO DE GESTÃO DAS PARTICIPAÇÕES DO ESTADO

#### CATEGORIA 1: ANÁLISE DO SITE

[www.box5204.temp.domains/~misamoca/igepe3](http://www.box5204.temp.domains/~misamoca/igepe3)

O Instituto de Gestão de Participações do Estado dispõe de uma página web com algum conteúdo actualizado. Esta apresenta alguns documentos relevantes, apesar de uma total ausência de informações sobre orçamentos e despesas. As publicações na página web são esporádicas. A instituição dispõe igualmente de uma página Facebook, no entanto está apenas teve a sua publicação a 11 de Setembro de 2019 o que releva de uma ausência de processo de estável de gestão de informação.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			Apesar de ter alguns dados actuais, a página não tem indicação das datas das publicações.
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			

n = 20	Sim	Não	Parcial	Mais informação
4. Relatórios, políticas e programas?			X	Poucos documentos referentes aos aspectos das políticas, programas e relatórios.
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?			X	Tem alguns elementos de contratação pública e concursos de fornecimento de serviços, porém não constam contratos e ou relatórios dos processos de selecção dos fornecedores
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?			X	Não está disponibilizado nenhum mecanismo de comunicação virtual para além da disponibilização do número de telefone; não tem endereço de <i>email</i> .

**Pontuação total: 13/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Instituto Nacional de Gestão das Participações do Estado:

- O Relatório Financeiro do exercício económico 2019 atinente a todas as participações do Estado.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		A informação é depositada na recepção e a partir dali é encaminhada para a direcção do IGEPE
2. A instituição respondeu no prazo de 21 dias?	X			
3. A instituição respondeu ao pedido de informação?	X			
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		

n = 20	Sim	Não	Parcial	Mais informação
5. A instituição facultou toda a informação solicitada?	X			A presidente autorizou a consulta da informação no dia 2 de Julho, mas o investigador do MISA só conseguiu consultar três dias após ter apresentado a carta que o autorizava. Notámos que a autorização da Presidente do Conselho de Administração não é suficiente para a disponibilização de informação, sendo necessário a outra autorização da directora do pelouro detentor de informação.
6. A instituição apresentou por escrito as razões da recusa de informação?				N/A
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?	X			
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?	X			
10. A informação recebida era clara e compreensível?	X			

Pontuação total: 12/20

## 4. INSTITUTO NACIONAL DOS TRANSPORTES TERRESTRES

### CATEGORIA 1: ANÁLISE DO SITE

[www.inatter.gov.mz](http://www.inatter.gov.mz)

O Instituto Nacional dos Transportes Terrestres é uma instituição tutelada pelo Ministério dos Transportes e Comunicações e dispõe de seu próprio endereço web. Porém durante a realização do estudo, muitas das categorias de apresentação de dados não estavam disponíveis. Dispõe igualmente de uma página Facebook, no entanto a sua última actualização data de há mais de um ano, a 19 de Junho de 2019. Isso sugere igual ao Ministério das Obras Públicas, Habitação e Recursos Hídricos que o novo ciclo de governação resultado das eleições de 2019 alterou significativamente a presença virtual das instituições públicas.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?			X	

n = 20	Sim	Não	Parcial	Mais informação
4. Relatórios, políticas e programas?		X		
5. Orçamentos e despesas?				
6. Informações sobre procedimentos de aquisição e contratos assinados?		X		
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?	X			

**Pontuação total: 11/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Instituto Nacional dos Transportes terrestres:

- As actas de adjudicação de concurso limitado nº04/UGEA/INATTER/DPCD/2019, de reabilitação e manutenção das instalações do INATTER.
- O contrato assinado com a empresa vencedora para a reabilitação acima referida.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		
2. A instituição respondeu no prazo de 21 dias?	X			O INATTER respondeu que o processo de contratação tinha sido gerido a nível da Direcção Provincial de Cabo Delgado, no âmbito de descentralização de competências e de gestão
3. A instituição respondeu ao pedido de informação?	X			
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		
6. A instituição apresentou por escrito as razões da recusa de informação?	X			
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?		X		
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?		X		

**Pontuação total: 6/20**

## 5. MINISTÉRIO DA AGRICULTURA E DESENVOLVIMENTO RURAL

### CATEGORIA 1: ANÁLISE DO SITE

[www.agricultura.gov.mz](http://www.agricultura.gov.mz)

O Ministério da Agricultura e Desenvolvimento Rural apresenta uma página web com informação actualizada e de interesse público, assinalando-se uma constância e sistematização de informação publicada. A página do Ministério, para além de notícias, apresenta documentos institucionais relevantes. Dispõe mesmo uma revista electrónica embora a última publicação date de 2018. Dispõe igualmente de uma página Facebook com actualização constante de informação. Sobre o Twitter, apesar de existir referência parece não ser explorado ainda. O ministério está também presente no Flickr, onde apresenta as suas actividades por imagens, mas sem devida actualização. O mesmo se pode dizer da sua presença no YouTube. Embora tenha publicado muitos documentos, da busca efectuada não foi possível encontrar o orçamento do ministério e se constatou uma completa ausência de relatórios do ano 2019.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			
4. Relatórios, políticas e programas?	X			
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?			X	A página fornece elementos sobre concursos e contratos, no entanto não disponibiliza relatórios dos processos de selecção
7. Procedimentos relativos às vagas e contratações?			X	Apesar de existir uma categoria de concursos, nada consta sobre vaga e emprego. Podemos pressupor, no entanto que esta categoria inclui tais assunto.
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?	X			

**Pontuação total: 16/20**



## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Ministério da Agricultura e Desenvolvimento Rural:

- Mecanismos usados para desembolsar o valor de 240 milhões de meticais para os subsídios de algodão definidos pelo Governo para a campanha 2019/2020, em Maio de 2020.
- Os relatórios ilustrativos dos desembolsos efectuados para o benefício dos camponeses dos referidos valores.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		
2. A instituição respondeu no prazo de 21 dias?		X		Fomos informados que o documento deu entrada no Gabinete do Ministro. Por seu turno, o ministro despachou-o para o Instituto de Algodão, onde se encontra até à conclusão deste estudo, 25 de Julho de 2020.
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		
6. A instituição apresentou por escrito as razões da recusa de informação?		X		
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?			X	Há alguma informação disponível sobre a estrutura do ministério.
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?				
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?		X		

Pontuação total: 1/20

## 6. MINISTÉRIO DA ECONOMIA E FINANÇAS

### CATEGORIA 1: ANÁLISE DO SITE

[www.mef.gov.mz](http://www.mef.gov.mz)

O Ministério da Economia e Finanças detém uma página web relativamente actualizada (da consulta, o ministério detinha uma actualização de cerca de três semanas) e apresenta informação relevante de utilidade pública, desde a sua estrutura institucional, as instituições tuteladas, as contas gerais do estado, assim como os principais documentos orientados da planificação económica nacional. Pese embora esta informação, o Ministério deverá melhorar a qualidade da informação disponibilizada, tendo em conta o facto de os relatórios sobre as dívidas e receitas do estado, por exemplo, não estarem disponibilizadas com maior detalhes.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			A informação é actualizada apesar de não haver uma periodização clara das actualizações.
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			Contém elementos fundamentais da estrutura incluindo os níveis locais..
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			
4. Relatórios, políticas e programas?			X	Pese embora a disponibilidade de muitos documentos de gestão, há muitos relatórios em falta, como os relativos às dívidas.
5. Orçamentos e despesas?	X			O Ministério tem disponíveis todos os documentos referentes ao orçamento, incluindo o Orçamento Geral do Estado
6. Informações sobre procedimentos de aquisição e contratos assinados?			X	O Ministério das Finanças não disponibiliza de forma clara elementos referentes aos seleccionados dos concursos e os procedimentos de assinatura dos contratos.
7. Procedimentos relativos às vagas e contratações?		X		Não existe qualquer elemento relativo a gestão interna dos recursos humanos.
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?	X			

**Pontuação total: 16/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Ministério da Economia e Finanças:

- O plano de orçamento e o total dos fundos mobilizados pelo Governo para fazer face à pandemia da COVID-19, assim como a sua distribuição e critérios de alocação pelos principais sectores de actividade directamente envolvidas.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		O pedido de informação é entregue na secretaria

n = 20	Sim	Não	Parcial	Mais informação
2. A instituição respondeu no prazo de 21 dias?		X		
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		
6. A instituição apresentou por escrito as razões da recusa de informação?				N/A
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?				N/A
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?				N/A

**Pontuação total: 0/20**

## 7. MINISTÉRIO DA SAÚDE

### CATEGORIA 1: ANÁLISE DO SITE

[www.misau.gov.mz](http://www.misau.gov.mz)

Para além da sua página web, o MISAU possui uma conta de Facebook actualizada com informação noticiosa e de utilidade pública, sobretudo concernente a matéria de saúde pública com destaque para COVID-19. A página web do MISAU mostra-se devidamente actualizada e com informações classificadas como relevantes, apesar de não constar relatórios de contas e auditorias da instituição. As informações na página do MISAU apresentam-se de forma clara e bem organizada, assim como facilitada para o acesso público. Pode ser que o contexto de COVID-19 tenha contribuído para melhor organização.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			
4. Relatórios, políticas e programas?		X		Apesar de existirem alguns relatórios, estes não são actualizados e muitos não estão disponibilizados.
5. Orçamentos e despesas?				
6. Informações sobre procedimentos de aquisição e contratos assinados?		X		Pese embora a existência de alguma informação, muitos elementos de procedimentos, contratos não estão disponíveis.

n = 20	Sim	Não	Parcial	Mais informação
7. Procedimentos relativos às vagas e contratações?			X	Esta matéria não está disponível definitivamente
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?		X		Dados de contacto, que incluem WhatsApp, circunscrevem-se sobretudo a questão de pandemia de COVID-19.

**Pontuação total: 11/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Ministério da Saúde:

- O plano de acção global e o respectivo orçamento para fazer face à pandemia da COVID-19 em Moçambique.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?			X	No Ministério da Saúde, os pedidos são entregues na Secretaria-Geral e o chefe da Secretaria-Geral é que é o responsável pelos pedidos de informação feitas pelos cidadãos
2. A instituição respondeu no prazo de 21 dias?		X		
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?				N/A
6. A instituição apresentou por escrito as razões da recusa de informação?				N/A
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?				N/A
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?				N/A

**Pontuação total: 1/20**

## 8. MINISTÉRIO DAS OBRAS PÚBLICAS, HABITAÇÃO E RECURSOS HÍDRICOS

### CATEGORIA 1: ANÁLISE DO SITE

[www.mophrh.gov.mz](http://www.mophrh.gov.mz)

O Ministério das Obras Públicas, Habitação e Recursos Hídricos tem uma página web com conteúdos relevantes. O ministério está presente igualmente nas redes sociais, nomeadamente no Facebook. Contudo, os conteúdos tanto do site, assim como no Facebook não estão actualizados. As últimas publicações datam de 2018. Isto parece sugerir que o novo ciclo eleitoral de 2019 alterou a gestão das páginas virtuais da instituição.

n = 20	Sím	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?			X	As últimas publicações datam de 2018, o que deixa entender ausência de uma assistência contínua do processo. Tudo que a página dispõe é de 2018 como se a página tivesse sido mexida apenas nesse ano.
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			
4. Relatórios, políticas e programas?			X	Os relatórios disponíveis são de 2016 e 2017 e todos publicados em 2018. Não existe nenhum documento referente a 2019 ou 2020.
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?		X		
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?			X	Apenas está disponível o endereço físico e o telefone
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?		X		Não dispõe de email ou outra forma de contacto virtual

**Pontuação total: 9/20**

### CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Ministério das Obras Públicas, Habitação E Recursos Hídricos:

- O contrato de concessão da Parceria Público-Privada com a TRAC para o desenho, construção, financiamento, operações e manutenção duma porção da Estrada nº 4 da República da África do Sul e Estrada nº 4 de Ressano Garcia.

- O contrato de concessão da Parceria Público-Privada com a Estradas do Zambeze para a construção, financiamento, operações e manutenção das pontes Kassuende, e Samora Machel e estradas N7 e N8-N9-N304.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		Toda a informação é depositada na Recepção da Secretaria do Ministério.
2. A instituição respondeu no prazo de 21 dias?		X		Durante a nossa visita, não se conseguiu localizar o pedido. O recepcionista confirmou, através de consulta ao livro de controlo de entradas, que o pedido foi, de facto, recebido na recepção, mas não sabia para que departamento foi encaminhado. Indicou-nos o Gabinete do Secretário Permanente como o provável destino. Do livro de controlo de expedientes do Gabinete do Secretário Permanente não constava nenhuma recepção do pedido.  A seguir fomos encaminhados para a UGEA do Ministério. Na UGEA não há registo de recepção do pedido. Sugeriram que regressássemos ao Ministério, mas lá não existe registo sobre o departamento para onde o documento foi encaminhado. O documento deve estar perdido numa das gavetas de um dos departamentos.
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		
6. A instituição apresentou por escrito as razões da recusa de informação?		X		
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?		X		
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?		X		

**Pontuação total: 0/20**

## 9. MINISTÉRIO DOS RECURSOS MINERAIS E ENERGIA

### CATEGORIA 1: ANÁLISE DO SITE

[www.mireme.gov.mz](http://www.mireme.gov.mz)

O Ministério dos Recursos Minerais e Energia dispõe de uma página web com conteúdos relativamente actualizados. Dispõe ainda de alguns contratos de programas de actividades do ministério. O MIREME dispõe igualmente de uma página Facebook pese embora não ser actualizada, a última publicação data de 7 de Novembro de 2017. Mesmo a página web apesar de dispor de alguma informação relevante carece de muito elementos e documentos importantes sobre o ministério como o orçamento do ano 2020.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?	X			Apesar de faltar muita informação relevante, a página web do MIREME tem alguma actualização.
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?	X			
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?	X			
4. Relatórios, políticas e programas?	X			Pese embora a disposição de documentos relevantes, os relatórios não estão sistematizados e a sua publicação não é frequente.
5. Orçamentos e despesas?			X	Os documentos de orçamentação são desactualizados não se dispendo de nenhum de 2020.
6. Informações sobre procedimentos de aquisição e contratos assinados?			X	Mesmo que os concursos e contratos estejam publicados, nota-se ausência de relatórios dos processos de selecção.
7. Procedimentos relativos às vagas e contratações?		X		Apesar de dispor de aba sobre vagas e emprego, esta não tem conteúdo.
8. A morada, número de telefone e horário de funcionamento da instituição?	X			
9. Informação para contacto de específicos funcionários públicos?	X			
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?	X			

**Pontuação total: 16/20**

## CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito ao Ministério dos Recursos Minerais e Energia:

- O contrato integral com a SICPA, empresa contratada pelo MIREME, em 2018, para a marcação dos combustíveis (produtos petrolíferos) em Moçambique.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		
2. A instituição respondeu no prazo de 21 dias?	X			O MIREME respondeu a carta dentro do prazo, mas recusou-se a dar a informação alegando o seguinte: "O Ministério dos Recursos Minerais e Energia reitera que a V. Excia tem o direito de receber a informação solicitada, porque não é matéria do segredo do Estado, entretanto, pelo facto de o processo de adjudicação do concurso público, que culminou com o contrato em questão, ainda ser objecto de litígio, de momento não pode ser fornecida a V. Excia; mais, caso o litígio seja dirimido e a situação conflituosa for ultrapassada, o MIREME poderá fornecer a informação a qualquer entidade pública ou privada que solicitar".
3. A instituição respondeu ao pedido de informação?	X			
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?		X		A informação não foi providenciada, uma vez o ministério ter alegado o contrato estar sob um processo judicial.
6. A instituição apresentou por escrito as razões da recusa de informação?	X			
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?	X			
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?		X		
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?		X		

**Pontuação total: 8/20**



## 10. SECRETARIA DE ESTADO DA JUVENTUDE E EMPREGO

### CATEGORIA 1: ANÁLISE DO SITE

[mol.gov.na](http://mol.gov.na)

Muito recentemente criada (cerca de seis meses de existência) em resultado da reformulação do Ministério do Trabalho, Emprego e Segurança Social, a Secretaria de Estado da Juventude e Emprego não dispõe de qualquer *site*, as informações referentes as suas actividades são de difícil localização por vias virtuais.

n = 20	Sim	Não	Parcial	Mais informação
<b>O site contém o seguinte:</b>				
1. Informações actualizadas?		X		Não dispõe de nenhum <i>site</i> próprio, alguns dados sobre a instituição só se pode encontrar no Portal do Governo.
2. Descrição das suas competências, assim como informação sobre a estrutura organizacional, as funções e as responsabilidades da administração da empresa?		X		
3. Uma lista da legislação promulgada relativa ao âmbito das suas competências?		X		
4. Relatórios, políticas e programas?		X		
5. Orçamentos e despesas?		X		
6. Informações sobre procedimentos de aquisição e contratos assinados?		X		
7. Procedimentos relativos às vagas e contratações?		X		
8. A morada, número de telefone e horário de funcionamento da instituição?		X		
9. Informação para contacto de específicos funcionários públicos?		X		
10. Um mecanismo para solicitar e receber respostas a mensagens electrónicas e pedidos de informação?		X		

**Pontuação total: 0/20**

### CATEGORIA 2: PEDIDOS DE INFORMAÇÃO

O seguinte pedido foi feito a Secretaria de Estado da Juventude e Emprego:

- O número de empregos perdidos, por sector da actividade, e o seu rácio sob as previsões dos meses de Abril a Junho de 2020, tendo em conta o impacto do COVID-19 em Moçambique.
- O número de novos empregos criados (incluindo dados sobre os 48 mil empregos gerados desde Janeiro) por sector.
- O investimento que vai ser realizado para a manutenção dos postos de trabalho no contexto do COVID-19.

n = 20	Sim	Não	Parcial	Mais informação
1. Existe um funcionário designado para receber e responder a pedidos de informação?		X		Os pedidos são depositados na secretaria que é partilhada com a Secretaria de Estado do Desporto

n = 20	Sim	Não	Parcial	Mais informação
2. A instituição respondeu no prazo de 21 dias?		X		
3. A instituição respondeu ao pedido de informação?		X		
4. A autoridade publica os seus procedimentos, para lidar com pedidos de informação?		X		
5. A instituição facultou toda a informação solicitada?				N/A
6. A instituição apresentou por escrito as razões da recusa de informação?				N/A
7. A instituição divulgou informações sobre as suas actividades, orçamentos, estrutura etc.?		X		
8. A autoridade facultou a informação sem questionar os objectivos e motivações do requerente?				N/A
9. A instituição acusou a recepção do seu pedido de informação no prazo de 7 dias?		X		
10. A informação recebida era clara e compreensível?				N/A

**Pontuação total: 0/20**

## RESUMO

Instituição	Website	Pedido de Informação	Pontuação total
1. Conselho Municipal da Cidade da Matola	0	1	1
2. Fundo Nacional de Investigação	11	10	21
3. Instituto de Gestão das Participações do Estado	13	12	25
4. Instituto Nacional dos Transportes Terrestres	11	6	17
5. Ministério da Agricultura e Desenvolvimento Rural	16	1	17
6. Ministério da Economia e Finanças	16	0	16
7. Ministério da Saúde	11	1	12
8. Ministério das Obras Públicas, Habitação e Recursos Hídricos	9	0	9
9. Ministério dos Recursos Minerais e Energia	17	8	24
10. Secretaria de Estado da Juventude e Emprego	0	0	0

## CONCLUSÃO DO ESTUDO

Os resultados do presente estudo (2020) mostram uma ligeira evolução das instituições públicas no processo da disponibilização da informação do interesse público, em resposta aos pedidos de informação, quando comparado com o último estudo do género realizado em 2018. Neste estudo, quatro das 10 instituições respondem os pedidos de informação, todas dentro dos 21 dias estabelecidos pela Lei do Direito à Informação, nomeadamente Ministério dos Recursos Minerais e Energia (MIREME), Fundo Nacional de Investigação (FNI), Instituto de Gestão de Participações do Estado (IGEPE) e Instituto Nacional dos Transportes Terrestres (INATTER). Destas quatro, duas respondem satisfatoriamente, disponibilizando toda a informação solicitada, duas negativamente. As restantes seis instituições, nomeadamente Conselho Municipal da Cidade da Matola (CMCM), Ministério das Obras Públicas, Habitação e Recursos Hídricos (MOPHRH), Ministério da Agricultura e Desenvolvimento Rural (MADER), Ministério da Economia e Finanças (MEF), Secretaria de Estado da Juventude e Emprego (SEJE) e o Ministério da Saúde (MISAU), ficaram-se pelo silêncio.

Em 2018, apenas uma instituição (Electricidade de Moçambique) das três que responderam, de um total de 10, tinha dado resposta positiva, disponibilizando toda a informação solicitada, mas fora dos 21 dias.

É importante destacar que o MIREME recusou, este ano (2020), disponibilizar a informação (contrato com a SICPA) alegando que o conteúdo do contrato constituía

“segredo de justiça”, uma vez que o concurso do qual resultou o contrato “é objecto de litígio”.

Embora as instituições avaliadas continuem sem registar grande evolução no que respeita à sua estruturação para atender aos pedidos de informação – continuam a sem salas de consultas nem pessoal com formação para atender especificamente os pedidos de informação dos cidadãos –, notámos uma evolução considerável na disponibilização da informação através de *websites*. Os *websites* das instituições apresentam cada vez mais informação relevante, mas persiste a tendência de não disponibilizar informação relacionada com os relatórios das auditorias financeiras, contratos públicos, actas de adjudicações de concursos públicos, processos muitas vezes objecto de contestação devido a falta de transparência.

Globalmente, desde o primeiro estudo (2016) após a Lei do Direito à Informação (2014) até hoje (2020), notámos que a disponibilização de informação, em resposta aos pedidos de informação dos cidadãos, apresenta uma tendência estacionária. A média de instituições que respondem os pedidos de informação varia entre três e quatro. No entanto, há uma melhoria considerável na disponibilização da informação através dos *websites*.

Registámos, igualmente, que as instituições de continuidade na avaliação (IGEPE, CMCM, INATTER, MEF e o MOPHRH) continuam a enfrentar as mesmas dificuldades organizacionais para a partilha de informação. No presente estudo apenas duas das cinco entidades de continuidade responderam os pedidos de informação, uma positivamente (IGEPE) e outra

negativamente (INATTER alegou que o concurso foi gerido a nível da província de Cabo Delgado). Porém houve claras melhorias na informação dos seus *websites*.

Algumas instituições como o CMCM e MOPHRH perderam as cartas de pedidos de informação. Quando a equipa de investigação visitou as instituições, os técnicos não conseguiram localizar os documentos.

Embora as instituições ainda não disponham de salas de consultas e de pessoa específica para receber e dar resposta aos pedidos, notámos que grande parte das instituições possui bibliotecas e gabinetes de comunicação e imagem que podem servir de locais de disponibilização de informação.

Persiste a ausência, na lei, de mecanismos claros e menos burocratizados de responsabilização dos funcionários que não respondam os pedidos ou não disponibilizem a informação solicitada, o que incentiva o silêncio como resposta aos pedidos de informação dos cidadãos.

As bibliotecas visitadas apenas contêm informação interna das instituições publicada em boletins internos. A restante informação é bastante antiga.

## RECOMENDAÇÕES

- Extensão da formação dos funcionários públicos em matéria da Lei do Direito à Informação a detentores de cargos públicos, principais detentores e gestores de informação relevante como contratos, Actas de Adjudicações de serviços, relatórios e contas
- Capacitação de gestores públicos e de chefes de gabinetes jurídicos das empresas públicas de modo a terem domínio sobre a Lei do Direito à Informação;
- Continuação da capacitação de funcionários sobre gestão de *websites*, assim como sobre a priorização da informação de interesse público para a actualização nos *websites*, mais do que o depósito de notícias institucionais;
- Divulgação, a todos os níveis, a directiva produzida pelo MISA e pelo CEDIMO que orienta os funcionários no processo de disponibilização da informação através das páginas web;
- Intensificação do plano para sensibilização das instituições detentoras de informação pública de modo a abandonar a cultura do secretismo e do medo;

- Adaptação de bibliotecas e arquivos para servirem de salas de consultas de informação, com auxílio dos gabinetes de comunicação.
- Continuação de auxílio ao Governo na divulgação da Lei do Direito à Informação e da informação que deve ser acessível ao público;
- Revisão da Lei de forma a definir mecanismos claros de responsabilização dos agentes que negam com a informação;
- Continuação de sensibilização de jornalistas e do público para a necessidade de fazer o uso da lei para o pedido de informação.



### A INSTITUIÇÃO PÚBLICA MAIS FECHADA EM MOÇAMBIQUE

Na maioria das instituições públicas, a informação continua bastante protegida e inacessível para o cidadão, não obstante a campanha de formação de funcionários públicos levada a cabo nos últimos anos pelo MISA e pelo Ministério da Administração Estatal. A instituição com a pontuação mais baixa é a Secretaria de Estado da Juventude e Emprego, com zero pontos em cada uma das categorias.

**Assim sendo, a instituição galardoada com o Prémio Cadeado de Ouro 2020, é a Secretaria de Estado da Juventude e Emprego.**



### A INSTITUIÇÃO PÚBLICA MAIS ABERTA EM MOÇAMBIQUE

O Instituto de Gestão de Participações do Estado dispõe de uma página web com algum conteúdo actualizado e disponibilizou a informação solicitada.

**Assim sendo, a instituição galardoada com o Prémio Chave de Ouro 2020, é o Instituto de Gestão de Participações do Estado.**



# NAMIBIA

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

After several years of empty promises by the Namibian government to pass the Access to Information (ATI) law, the bill has finally been tabled in parliament. This long-awaited development was welcomed, not only by Namibian civil society players, but also by regional and international groups who have supported efforts to lobby the Namibian government to expedite the promulgation of an ATI framework.

However, the findings of this study show that public officials and citizens still need to be educated on the importance of ATI in people's lives. The lack of this understanding has led to limited citizen participation in the national discourse. Government organisations seem to have taken advantage of this and have become more secretive, often using the COVID-19 pandemic as an excuse to not provide information. Against this backdrop, it is difficult for ordinary Namibians to access public information.

Furthermore, there has been public outcry that the lack of quality information in the public domain, especially in grassroot communities, impacted the results of the 2019 general elections. Many claim that the majority of rural votes were constituted by uninformed voters.

In addition, there is also a lack of additional sectoral and other laws which could support access to information. The Whistleblower Protection and Witness Protections Acts of 2017 remain non-operational despite a clear need for such legislation.

Ultimately, this research study shows that access to information in Namibia remains limited and heavily dependent on the information sought, who is requesting it, and which public organisation it is requested from.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

Access to information is an important ingredient for a functional democracy. The importance of public participation in promoting transparency and good governance cannot be undermined. This study investigated the extent to which public organisations provide public information to Namibian citizens, as well as to examine the level of transparency in government. The research was conducted from 17 July–12 August 2020.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

The research adopts both qualitative and quantitative methods of data collection, and seeks to evaluate the level of public access to information held by government and public organisations. Each MISA Chapter conducts research by evaluating the websites of government and public organisations along with submitting written requests for information. This method seeks to establish the transparency and efficiency of government and public organisations in providing information to the public. All organisations were given 21 days to respond to requests for information.

### LIMITATIONS OF THE STUDY

- Many public organisations demanded a formal letter identifying who sought the information, and why, before being willing to supply the information requested.
- The COVID-19 pandemic has also negatively affected the flow of information as many public organisations consistently used the pandemic as an excuse to not provide the information requested.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Erongo Regional Council
2. Ministry of Education, Arts and Culture
3. Ministry of Finance
4. Ministry of Fisheries and Marine Resources
5. Ministry of Gender Equality and Child Welfare
6. Ministry of Health and Social Services
7. Ministry of Home Affairs, Immigration, Safety and Security
8. Ministry of Information and Communication Technology
9. Ministry of Labour, Industrial Relations and Employment Creation
10. National Youth Council of Namibia

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All organisations surveyed have active websites, although half of them do not contain updated information. Some official websites contain public records.
- It is becoming more common for public organisations to use social media platforms to share information. Some organisations consistently engage with followers on these platforms, of which Facebook seems the most popular.

### Category 2: Requests for information

- An increasing number of public organisations recognise the importance of public access to information.
- Most public officials were responsive to information requests, although some demanded a valid reason from the person requesting it.
- Members of the public are more likely to receive information if they provide academic motivations or are affiliated with an organisation.
- The COVID-19 pandemic was often used as an excuse to withhold public information.
- Some organisations do not have designated officials to receive and respond to information requests.

# DETAILED FINDINGS

## 1. ERONGO REGIONAL COUNCIL

### CATEGORY 1: WEBSITE

[www.erc.com.na](http://www.erc.com.na)

The website contains up-to-date and useful content. The organisation's social media links for Facebook, Twitter and Instagram are functioning with active engagements.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	The website contains information on some programmes but there is not sufficient information about policies and reports.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?			X	The website displays a vacancy page and application for employment, but does not provide employment procedures.
8. The address, telephone number, and working hours of the organisation?			X	Working hours are not provided.
9. The contact details of specific public officials?	X			Chief Regional Officer, Director: General Services, Director: Development Planning, Deputy-Director: Human Resources Management, Deputy-Director: Administration, Deputy-Director: Finance, Deputy-Director: Rural Services, Deputy-Director: Development Planning
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			Yes, through a contact form.

**Total score: 15/20**



## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Erongo Regional Council:

- How is the council planning to support small business owners during the COVID-19 pandemic?
- What is the strategy in place for the distribution of food parcels to people affected by the COVID-19 pandemic?
- What is being done to prevent the spread of COVID-19, especially in the region's informal settlements where people share basic amenities such as toilets?
- Does the council have a strategy for targeted testing, or is it reserved only for people who show symptoms

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	It is unclear. The researcher was referred to several officials, none of whom were able to officially receive and respond to the request.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?			X	The organisation only after the researcher followed up on the request.
10. Was the information received clear and understandable?		X		

**Total score: 2/20**

## 2. MINISTRY OF EDUCATION, ARTS AND CULTURE

### CATEGORY 1: WEBSITE

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

The website is consistently updated with relatively new information and data, specifically about the COVID-19 pandemic. However, the website contains many broken links. The organisation's Facebook page contains current information, however there is very little engagement with followers.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			

n = 20	Yes	No	Partial	Additional information
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			Director, Private Secretary
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Education, Arts and Culture:

- How prepared is the ministry to implement alternative learning and teaching programmes in rural schools without electricity and information communication technology facilities, during the COVID-19 pandemic?
- To what extent is the ministry prepared to prevent the spread of COVID-19 in all schools, especially in rural areas?
- How many government schools do we have in Namibia and how many of them are experiencing challenges with reopening due to COVID-19?
- To what extent has the ministry's budget been affected by the COVID-19 pandemic?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			A formal letter is required.
7. Did the organisation disclose information about its operations, budgets, structure, etc.	X			
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			

n = 20	Yes	No	Partial	Additional information
9. Did the organisation acknowledge the request for information within 7 days?		X		The organisation responded within seven days, but only after the researcher followed up on the request.
10. Was the information received clear and understandable?	X			

**Total score: 17/20**

### 3. MINISTRY OF FINANCE

#### CATEGORY 1: WEBSITE

[mof.gov.na](http://mof.gov.na)

This website does not contain up-to-date information. However, it does contain links to the organisation's Facebook and Twitter pages, which are both frequently updated with relevant public information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	The organisation's powers are not on the website.
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	Working hours are not provided.
9. The contact details of specific public officials?	X			Minister, Deputy Minister, Personal Assistant to the Minister, Economic Advisor to the Minister, Secretary to the Deputy Minister, Executive Director, Deputy Executive Director, Personal Assistant to the Executive Director
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website provides a government communication system.

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Finance:

- Can the ministry provide clarity on the extent of the impact of COVID-19 on the Namibian economy?
- To date, how much foreign aid has Namibia received for the COVID-19 pandemic?
- What is the ministry doing to assist small business owners whose businesses are struggling during COVID-19?
- What are some of the youth empowerment projects that the ministry is currently embarking on to support vulnerable people affected by the COVID-19 pandemic?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Chief Public Relations Officer
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			The officer indicated that the ministry was unable to respond to queries as the organisation was inundated with many issues at the time.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 4/20**

## 4. MINISTRY OF FISHERIES AND MARINE RESOURCES

### CATEGORY 1: WEBSITE

[www.mfmr.gov.na/home](http://www.mfmr.gov.na/home)

The website does not contain up-to-date information. Although this organisation is registered on three social media platforms (Facebook, Twitter and Instagram), it does not often post information nor engage with followers.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			

n = 20	Yes	No	Partial	Additional information
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?				
9. The contact details of specific public officials?	X			Minister, Deputy Minister, Permanent Secretary, Deputy Permanent Secretary, Public Relations Officer
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website provides a government communication system.

**Total score: 13/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Fisheries and Marine Resources:

- What is the ministry's mandate and how does it align with Vision 2030?
- What is the ministry going to do differently to ensure that ordinary Namibians benefit from fishing quotas?
- What is the ministry doing to ensure that fishermen are empowered to start their own fishing businesses in order to create jobs?
- To what extent is the ministry prepared to ensure that the fish products produced in Namibia are consumed by all citizens at little cost?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			A formal letter is required.
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	There is no information about budgets and structure.

n = 20	Yes	No	Partial	Additional information
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 17/20**

## 5. MINISTRY OF GENDER EQUALITY, POVERTY ERADICATION AND SOCIAL WELFARE

### CATEGORY 1: WEBSITE

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

The website is professionally designed but slow to access and navigate. It does not contain up-to-date information. However, the organisation has a Facebook page which contains current and useful information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	No working hours are provided.
9. The contact details of specific public officials?	X			Minister, Deputy Minister, Minister's Personal Assistant, Executive Director, Deputy Executive Director, Public Relations Officer, Regional Head
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website has a link to the government communication system.

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Gender Equality, Poverty Eradication and Social Welfare:

- What is the ministry's mandate and how does it fit into Vision 2030?
- Has the ministry put any measures in place to specifically counter and/or assist victims of gender-based violence during the COVID-19 pandemic?
- How long does the ministry take to respond to gender-based violence incidents and is there a safe space for victims while procedures are underway?
- What is the ministry's strategy to address stigmatisation and discrimination against LGBTQ people?

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

**Total score: 16/20**

## 6. MINISTRY OF HEALTH AND SOCIAL SERVICES

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information, however the platform is technical and difficult to navigate. The organisation's social media pages include Facebook and Instagram.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			

n = 20	Yes	No	Partial	Additional information
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	No working hours are provided.
9. The contact details of specific public officials?	X			Minister, Deputy Minister, Minister's Personal Assistant, Executive Director, Deputy Executive Director, Public Relations Officer, Regional Head
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website has a link to the government communication system.

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Health and Social Services:

- Does the ministry have measures in place to provide psychosocial support for infertile people?
- What is the ministry doing to ensure that COVID-19 survivors receive the necessary support to deal with discrimination?
- Are the symptoms of COVID-19 different in children than in adults?
- How is the ministry currently managing health complications stemming from illegal abortions?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			The officer explained that she was working from home due to COVID-19 and unable to access work-related emails.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		



n = 20	Yes	No	Partial	Additional information
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 6/20**

## 7. MINISTRY OF HOME AFFAIRS, IMMIGRATION, SAFETY AND SECURITY

### CATEGORY 1: WEBSITE

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

The website contains relevant content documents but lacks up-to-date information. The organisation's social media links are displayed on the website, however, not all of them are functional. The Facebook page contains up-to-date information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	The working hours of the organisation are stated on the website.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Home Affairs, Immigration, Safety and Security:

- What process is the ministry following in issuing documents to children of non-Namibian citizens who were born in Namibia?
- When can we expect the borders to open for Namibians wishing to travel abroad?
- What mechanisms has the ministry employed to combat the spread of COVID-19 by foreign nationals illegally entering Namibia?
- Will foreigners who applied for 90-day visas in April, just before the outbreak of the pandemic, receive extensions when they are able to resume traveling?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Public Relations Officer
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			Official letter required when requesting for information, stating reason for request and what the information will be used for.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			

**Total score: 10/20**

## 8. MINISTRY OF INFORMATION AND COMMUNICATION TECHNOLOGY

### CATEGORY 1: WEBSITE

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

This website contains relatively current information and documents, such as legal frameworks. The organisation uses three social media platforms (Facebook, Twitter and Instagram) that are frequently updated with relevant information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	The organisational structure is not clearly shown.
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		

n = 20	Yes	No	Partial	Additional information
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	No working hours are provided.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 15/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Information and Communication Technology:

- What is the ministry's plan of action for the implementation of the access to information law once it is passed by parliament and assented to by the president?
- Will the ministry ensure that there is accessible internet connectivity country-wide to support the e-learning efforts of the Ministry of Education, Arts and Culture?
- Does the ministry intend to provide financial support to media houses, apart from the existing national stimulus package?
- Is Namibia prepared for the 4th Industrial Revolution?

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

**Total score: 18/20**

## 9. MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

### CATEGORY 1: WEBSITE

[mol.gov.na](http://mol.gov.na)

The website contains relevant information and is consistently updated with new content. The ministry has a very active and engaging online presence through social media platforms (Facebook and Twitter).

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	No information about signed contracts.
7. Information about vacancy and employment procedures?			X	The website states that there are no vacancies but it does not display any employment procedures.
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Labour, Industrial Relations and Employment Creation:

- What is the ministry's mandate and how does it align with Vision 2030?
- How does the ministry promote economic prosperity and equity through investments?
- What is the ministry doing to ensure that the thousands of workers being retrenched does not add to the already high levels of unemployment in the country?
- What kind of psychosocial support is being provided for those who have lost their jobs because of the COVID-19 pandemic?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			The ministry responded to the information within seven days.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?	X			
5. Did the organisation provide all of the requested information?			X	Responses to three of the four questions sent to the ministry were thoroughly provided.
6. Did the organisation provide written reasons for the refusal of information?	X			The ministry referred the researcher to another organisation that is better suited to respond to the query.
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	Information about budgets were not disclosed but reference was made to the ministry's operations and structure.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 18/20**

## 10. NATIONAL YOUTH COUNCIL OF NAMIBIA

### CATEGORY 1: WEBSITE

[nyc.org.na](http://nyc.org.na)

The website does not contain up-to-date information. However, the Facebook page is regularly updated with current and relevant content, as well as active engagements with followers. The Twitter page is dormant.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			

n = 20	Yes	No	Partial	Additional information
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	No working hours are provided.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			A contact form is provided.

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the National Youth Council of Namibia:

- What is the mandate of the National Youth Council of Namibia and how does it align with Vision 2030?
- What are some of the youth empowerment projects that the council is currently embarking on to support vulnerable people such as the San, Ovahimba and LGBTQ people?
- How many young people have lost their jobs due to the COVID-19 pandemic and how is the council prepared to assist them?
- What are some activities of the National Youth Council of Namibia which support youth participation?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Chief Public Relations Officer
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?			X	The organisation responded within 7 days after the researcher sent a reminder.
10. Was the information received clear and understandable?	X			

**Total score: 3/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Erongo Regional Council	15	2	17
2. Ministry of Education, Arts and Culture	16	17	33
3. Ministry of Finance	14	4	18
4. Ministry of Fisheries and Marine Resources	13	17	30
5. Ministry of Gender Equality and Child Welfare	16	16	32
6. Ministry of Health and Social Services	16	6	22
7. Ministry of Home Affairs, Immigration Safety and Security	11	10	21
8. Ministry of Information and Communication Technology	15	18	33
9. Ministry of Labour, Industrial Relations and Employment Creation	16	18	34
10. National Youth Council of Namibia	10	3	13

## RESEARCH CONCLUSION

Most public organisations have a strong online presence which allows them to communicate and share information with the public.

Public relations officers sometimes lack the capacity to distinguish between private and public information, and end up depriving citizens of their right to information. However, it is important to note the dramatic improvement in both responses of information requests and website reviews.

## RECOMMENDATIONS

- Each organisation should have dedicated and educated officers to deal with information requests.
- Public officials should be educated on the importance of public access to information.
- Common standards of promoting access to information should be employed.
- Online platforms for government organisations should seek to communicate government's policies and programmes.
- Public organisations should encourage a culture of openness and transparency by proactively sharing information.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN NAMIBIA

The website of the National Youth Council of Namibia is rarely updated and the Twitter page is dormant. Although this organisation's Facebook page contains up-to-date information, its failure to respond to the information request demonstrates its low regard for people's rights of access to information.

**Therefore, the 2020 Golden Padlock Award goes to the National Youth Council of Namibia.**



### THE MOST OPEN PUBLIC ORGANISATION IN NAMIBIA

Both the website and Facebook page of the Ministry of Labour, Industrial Relations and Employment Creation contains up-to-date information. The organisation responded timeously to the information request. The Public Relations Officer's commitment to information-sharing is commendable.

**Therefore, the 2020 Golden Key Award goes to the Ministry of Labour, Industrial Relations and Employment Creation.**



# TANZANIA

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa



# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Access to information is enshrined in Tanzania's constitution. The Access to Information Act was enacted in 2016 to ensure, among other things, access to public interest information held by public organisations. The National Telecommunication Policy of 1997 promotes the sharing of information in Tanzania through "regulations, fair competition, enforcement of standards, rural connectivity and development of citizens' skills and competencies in telecommunications".

The implementation of liberal policies creates an environment for variety of communication channels including telecommunication networks, radio (including community radios) and television stations, and newspapers. These channels provide citizens with diverse information and broadens the spectrum of information dissemination.

There is also an increase in the use of information and communication technologies among public organisations which enhances the gathering, processing, storage and dissemination of information, both online and offline. The use of social media has grown to the extent that it has become the main source of news and information in the country.

However, none of this actually guarantees people's freedom of information. The enactment of opposing laws (such as Cybercrime Act of 2015, Electronic and Postal Communications Act of 2010 and the Media Services Act of 2016) infringe on freedom of information and accessibility of information from private and public organisations. Journalists and members of the public have been fined for alleged breach of these laws. A number of media houses/channels have been banned (such as Mwananchi Online and Kwanza TV Online), and others have had their license revoked (such as Tanzania Daima newspaper).

This has impacted on how citizens and journalists can exercise their constitutional rights to seek, receive and share information. There is fear about openly criticising the government. Information officers impose strict self-censorship on the information in their custody.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The aim of this study was to assess the state of access to information in Tanzania. Specifically it sought to examine the level of openness and ability to provide requested information by public organisations. Eight organisations were surveyed between 14 July – 4 August 2020.

### OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

The research adopts both qualitative and quantitative methods of data collection, and seeks to evaluate the level of public access to information held by government and public organisations. Each MISA Chapter conducts research by evaluating the websites of government and public organisations along with submitting written requests for information (physical delivery as well as email). This method seeks to establish the transparency and efficiency of government and public organisations in providing information to the public.

### LIMITATIONS OF THE STUDY

- The Access to Information Act of 2016 provides 21 days to receive feedback from an information request. However, this is often not the case as many information officers delay, restrict or deny access to information.
- Most organisations do not have clearly designated officials to receive and respond to requests for information.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Ministry of Education, Science and Technology
2. Ministry of Health, Community Development, Gender, Elderly and Children
3. Ministry of Information, Culture, Arts and Sports
4. Ministry of Natural Resources and Tourism
5. National Electoral Commission
6. Office of Registrar of Political Parties
7. Tanzania Telecommunication Limited
8. Workers Compensation Fund

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- Websites surveyed contain up-to-date information, although much of this is event-based with photographs of public officials.
- Information on vacancy and employment, procurement process, contact details of leaders, budget and expenditure is missing from most websites.
- All websites provide links to social media platforms (Facebook, Twitter, Instagram, YouTube and/or blogs).
- Most websites publish information on the powers, functions and responsibilities.
- All websites have electronic feedback and response mechanisms which allow citizens to submit information requests and queries.

### Category 2: Requests for information

- No public organisations responded within seven days of receiving the information request.
- When the researcher followed up, some organisations claimed that they were unaware of request or not knowledgeable of the staff member responsible for handling such communications. Some phone calls went unanswered. Other organisations claimed to be working on the information request.
- After 21 days, only one public organisation provided the requested information.

# DETAILED FINDINGS

## 1. MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. It is also interactive, combining video, text and photographs. The links to Twitter and Facebook do not work.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?			X	Several documents are inaccessible.
5. Information on budget and expenditure?			X	Several documents are inaccessible.
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 10/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Education, Science and Technology:

- During 2020, how many female students dropped out of school due to pregnancy? Has the number increased or decreased in comparison with the previous year?
- What has the performance rate of secondary school education been over the past four years?
- What is the current pupil-desk ratio in primary schools in Tanzania?
- What is the drop-out rate for primary school girls for the year 2019?
- How many education programmes were successfully implemented in 2019?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		
2. Did the organisation reply within 21 days?			X	Reply came after follow-up phone call was made.

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?			X	Feedback and response mechanism on website.
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 2/20

## 2. MINISTRY OF HEALTH, COMMUNITY DEVELOPMENT, GENDER, ELDERLY AND CHILDREN

### CATEGORY 1: WEBSITE

[www.moh.go.tz/en](http://www.moh.go.tz/en)

The website contains up-to-date information on the activities and functions of the ministry. It provides links to five social media platforms (Facebook, Twitter, Instagram, YouTube and a blog) which all contain updated information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours is missing.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 17/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Health, Community Development, Gender, Elderly and Children:

- What is the status of COVID-19 in Tanzania?
- What are the available statistics on the access to health services in rural Tanzania?
- Has the government succeeded in reducing the infant mortality rate in the past three years?
- How many houses/centres for elderly people are in Dar es Salaam? What are their locations? How many elderly people live in these houses/centres?
- How does the ministry coordinate efforts to provide therapy/treatment to drug addicts in Tanzania, to help them regain a normal life?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	The ministry has a designated communication officer. However, it is unclear whether it is the communication or registry office which handles such information requests.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?	X			
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 3/20

## 3. MINISTRY OF INFORMATION, CULTURE, ARTS AND SPORTS

### CATEGORY 1: WEBSITE

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

The website is up-to-date and has information about the ministry's activities. Only one social media link (Instagram) is active.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?			X	Not much information is provided.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	No information on working hours of the organisation.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Information, Culture, Arts and Sports:

- What is the strategy of the ministry to combat the current piracy of artistic work of local artists?
- Does the ministry have plans to revive sports and games in schools?
- What are the procedural guidelines that can lead to the suspension of a newspaper?
- How does one start a community newspaper with the intention of disseminating local news and information in a local district?
- How many registered newspapers are there in Tanzania, and what was their state of operation in 2019?
- How many newspapers have been deregistered or suspended since 2016?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?			X	Feedback and response mechanism provided on the website.
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		

n = 20	Yes	No	Partial	Additional information
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 3/20

## 4. MINISTRY OF NATURAL RESOURCES AND TOURISM

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. It also provides links to an active Facebook page. The blog is inaccessible and the Twitter account is inactive.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?	X			
6. Information about procurement procedures or signed contracts?			X	Contains outdated information from 2015.
7. Information about vacancy and employment procedures?			X	Contains outdated information from 2015.
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours not provided.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 17/20

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Natural Resources and Tourism:

- How many international tourists visited Tanzania during the past three years?
- What is the financial impact of COVID-19 on the tourism industry?
- How much money has been spent promoting Tanzania as a tourist destination in the international arena?
- What measures are being taken to mitigate the impact of COVID-19 and revive the tourism industry in Tanzania?
- How do rural communities, located near tourist destinations, benefit from the tourism activities in their area?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	There is a communications officer, but it is unclear who is responsible for handling information requests.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 1/20

## 5. NATIONAL ELECTORAL COMMISSION

### CATEGORY 1: WEBSITE

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

The website contains up-to-date information. It has links to Facebook, Twitter, Instagram and You Tube. These social media platforms are active and frequently updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?		X		



n = 20	Yes	No	Partial	Additional information
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours is missing.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

Total score: 13/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to National Electoral Commission:

- Tanzania is preparing for an election in October this year. How many constituencies are there across the country?
- Has the number of constituencies increased since 2015?
- Which criteria defines a constituency?
- How will campaigns be conducted amidst COVID-19?
- What is the requirement for organisations who want to provide voters' education?
- The previous general elections were observed by local and international observers. What are the benefits of having election observers? How does one become an election observer?

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

Total score: 2/20

## 6. OFFICE OF REGISTRAR OF POLITICAL PARTIES

### CATEGORY 1: WEBSITE

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

The website contains core activities undertaken by the organisation. The rest of the information is outdated. There are links to social media platforms, of which Facebook contains the most recent updates.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours is missing.
9. The contact details of specific public officials?			X	Only contact details of the chairperson is provided.
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 14/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Office of Registrar of Political Parties:

- How many political parties have been registered and legally operate in Tanzania?
- How does one register a political party?
- Which political parties will be participating in the upcoming election?
- Are there political parties which will be barred from participating in the election? Why?
- For the past four years, political parties in Tanzania were restricted from conducting public rallies. Has this restriction strengthened or weakened the operations of political parties in Tanzania?
- What is the role of the registrar in solving conflict between political parties?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	It is unclear.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		

n = 20	Yes	No	Partial	Additional information
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 1/20

## 7. TANZANIA TELECOMMUNICATION LIMITED

### CATEGORY 1: WEBSITE

[www.ttcl.co.tz](http://www.ttcl.co.tz)

The website mostly contains advertisements promoting its products and services. Other company information is largely communicated via social media platforms such as Twitter, Facebook, Instagram, LinkedIn and YouTube. With the exception of YouTube, all other social media platforms are active and contain up-to-date information.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Much of the information is posted on its social media platforms.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?			X	There is no updated vacancy information.
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours is missing.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

Total score: 4/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Tanzania Telecommunication Limited:

- How many mobile phone users subscribe to your network?
- There is public outcry over the high tariffs imposed by mobile network on internet services. What is your company doing to address this?
- Years ago, your company advertised phone handsets. What happened to the handsets?
- Currently there is stiff competition between mobile networks in Tanzania. What is the market share of your company?
- In recent years there has been increase of cybercrime, including mobile money theft. How is your company handling this challenge?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	The company has a communication officer but it's unclear who handles such a request.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

Total score: 1/20

## 8. WORKERS COMPENSATION FUND

### CATEGORY 1: WEBSITE

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

The website is well-organised and contains updated information. The Twitter and YouTube links are inactive.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			

n = 20	Yes	No	Partial	Additional information
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	Information on policies is missing.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Information on working hours is missing.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Workers Compensation Fund:

- How is the fund structured in terms of its operations and leadership?
- Which category of workers does the fund cover? Does it include those working in the agricultural sector?
- How does the fund differ from other social security funds in Tanzania?
- One of the benefits provided by the fund is medical service, which is also provided by the National Health Insurance Fund. Why would an employee be a member of both? Do they not offer the same service?
- If a member of the fund makes monthly contributions but never gets injured, will their contributions be repaid upon retirement?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?			X	Feedback mechanism provided on the website.
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	Budget information was not disclosed.
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 14/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Ministry of Health, Community Development, Gender, Elderly and Children	17	3	20
2. Ministry of Information, Culture, Arts and Sports	14	3	17
3. Ministry of Education	10	2	12
4. Ministry of Natural Resources and Tourism	17	1	18
5. Workers Compensation Fund	10	14	24
6. National Electoral Commission	13	2	15
7. Office of Registrar of Political Parties	14	1	15
8. Tanzania Telecommunication Limited	4	1	5

## RESEARCH CONCLUSION

The findings of this survey suggest that access to information held by public organisations is still a big challenge in Tanzania. However, public organisations are making efforts to improve accessibility of information via frequently updated websites and social media platforms.

## RECOMMENDATIONS

- Almost all public organisations have officers who handle internal and external communication. However, websites and social media platforms are irregularly updated and handling of email

communication is still a challenge. There is a need to educate these officers in order to increase accessibility of the information to the general public.

- Online and offline media channels should promote advocacy techniques to teach both public officials and the general public about the right to access public-held information, and its benefits.
- Social media platforms of public organisations should be strengthened in terms of updating the content and promoting websites of parent organisations.
- All organisations should have a dedicated staff member who can deal with information requests.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN TANZANIA

The website of Tanzania Telecommunication Limited has no company information and does not publish updated information. The organisation is not active on social media.

The organisation failed to respond to the information request. Despite having a communication office, it was discouraging to learn that there was no designated staff member assigned to work on such requests.

**Therefore, the 2020 Golden Padlock Award goes to Tanzania Telecommunication Limited.**



### THE MOST OPEN PUBLIC ORGANISATION IN TANZANIA

Most of surveyed organisations exercised information gatekeeping which delayed and/or restricted public access to information. Ineffective communication structure within the organisations contributed towards their failure to handle information requests.

However, the Workers Compensation Fund provided the requested information within the prescribed timeframe. In addition, the fund's website contained up-to-date information and a feedback mechanism.

**Therefore, the 2020 Golden Key Award goes to the Workers Compensation Fund.**



# ZAMBIA

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Zambia does not yet have legislation that enforces the right of citizens to access information from public offices, although different governments have promised to enact the Access to Information (ATI) Bill. For example, during its 2005 election campaign, the Patriotic Front promised that it would enact the ATI Bill within 90 days. However, despite this and various other promises, the ATI Bill has not yet been passed.

In March 2019, Dora Siliya (the Minister of Information and Broadcasting Services, and also Chief Government Spokesperson), announced that the ATI Bill had been approved by cabinet. It was hoped that the bill would soon after be tabled in parliament and consequently enacted, but this did not happen.

In a statement to the country's National Assembly on 4 November 2019, Dora Siliya stated that the Zambian government planned to introduce a statutory 'self-regulatory' framework to ensure that the media operates within the law and curbs incidences of 'fake news'. The minister's statement indicated that this new 'self-regulatory' law would be a precursor to the enactment of the ATI Bill.

During July 2020, the government announced that cabinet had approved the Media Council Bill, the Media Development Policy and the National Information Communication Policy. However, no mention was made regarding the state's intention to present the ATI Bill to Parliament for enactment.

Despite this continued stalling of the ATI Bill, the Zambian Constitution (under article 20) provides for the right of access to information as outlined below:

*(1) Except with his own consent, a person shall not be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to impart and communicate ideas and information without interference, whether the communication be to the public generally or to any person or class of persons, and freedom from interference with his correspondence.*

It is hoped that the ATI Bill will be enacted in the near future because it is not a media bill, but a law aimed at allowing citizens to know what their government is doing, to fully participate in governance, to hold duty bearers accountable and make informed decisions regarding their personal lives and the future of their nation or community.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The research sought to assess the levels of transparency of select public organisations in Zambia. Nine organisations were surveyed between 25 June – 31 July 2020.

### OBJECTIVES OF THE STUDY

- To determine which public organisations provide information to citizens upon request, timeously and with relative ease.
- To determine which public organisations utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

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

### LIMITATIONS OF THE STUDY

- Most public organisations treat public information as though it is a right to be enjoyed by only a few and not the general public.
- Many public organisations demand introductory letters from your organisation before being willing to disseminate information.



## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Anti-Corruption Commission
2. Disaster Management and Mitigation Unit
3. Electoral Commission of Zambia
4. Ministry of Agriculture
5. Ministry of General Education
6. Ministry of Health
7. Ministry of Home Affairs
8. Ministry of Mines and Mineral Development
9. Road Transport and Safety Agency

## SUMMARY OF KEY FINDINGS

### Overview of key findings

- Information dissemination by public organisations in Zambia, based on requests from ordinary members of the public, is a struggle.
- Provision of information through online platforms continues to improve. Most state organisations utilise websites and social media to make information available to the public. Thereby abiding by one of the principles of Access to Information, which is proactive disclosure. For instance, information provision has been at the top of the agenda of most public organisations due to the COVID-19 pandemic, with the objective of keeping the public informed of developments around the pandemic.

### Category 1: Website analysis

- Most organisations surveyed have functional websites (except for the Ministry of Home Affairs). However, many pages on the active websites did not load or did not contain information.
- Almost all organisations are active on social media platforms and frequently post updates.
- Some organisations (such as the Electoral Commission of Zambia, and Road Transport and Safety Agency) had user-friendly websites which make it easy for the public to find information about the organisation.

### Category 2: Requests for information

- Most organisations acknowledged the request for information almost immediately and told the researcher that the appropriate office would respond to the request.
- The first organisation that acknowledged receipt of the request for information was the Disaster Management and Mitigation Unit (which called the researcher to tell her to redo her request and address it to the National Coordinator).
- The most helpful organisation was the Ministry of Home Affairs. However, they did not respond the most timeously as the request was initially sent to the Ministry of Foreign Affairs.

# DETAILED FINDINGS

## 1. ANTI-CORRUPTION COMMISSION

### CATEGORY 1: WEBSITE

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

The Anti-Corruption Commission has an active and easy-to-navigate website. It contains updated information about the commission, its mandate, departments and even how one can report corruption. Additionally, it has a social media presence, with its Facebook page being more active than the Twitter Page (which was last updated in 2019).

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Yes, it regularly updates its website and Facebook page.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?			X	The website has the address and contact numbers but does not include the working hours of the organisation.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 13/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Anti-Corruption Commission:

- Does the commission protect whistle blowers in the fight against corruption? If yes, how?
- What are the statistics for the people convicted of corrupt charges?
- How do you rate the fight against corruption in Zambia and why?
- Is Zambia winning in the fight against corruption?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			

n = 20	Yes	No	Partial	Additional information
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 4/20**

## 2. DISASTER MANAGEMENT AND MITIGATION UNIT

### CATEGORY 1: WEBSITE

[www.dmmu-ovp.gov.zm](http://www.dmmu-ovp.gov.zm)

The Disaster Management and Mitigation Unit has a website, although it is not up-to-date. It also has a social media presence on Facebook, which is regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	Many of the pages on the website which should contain this information do not open and others do not have content.
3. A list of laws, acts, etc, issued within the scope of its powers?			X	It has a page that outlines its objectives but the page with its policy documents is blocked.
4. Copies of reports, policies or programmes?			X	It has a page that is supposed to have these documents but it is text blocked.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		

n = 20	Yes	No	Partial	Additional information
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Contact numbers and the address are available
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	Page is available but is not functional.

**Total score: 5/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Disaster Management and Mitigation Unit:

- What kind of disasters does the organisation handle?
- How much was spent on disaster mitigation in 2019?
- How have the COVID-19 donations been distributed in the various communities, especially the rural community?
- What challenge does the organisation face and what are the solutions?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Disaster Management and Mitigation Unit National Coordinator
2. Did the organisation reply within 21 days?	X			The researcher was contacted the same day and asked to redirect the request to the National Coordinator, as this is the office responsible for all external correspondence.
3. Did the organisation respond to the request for information?		X		The researcher was asked to produce an introductory letter before her request for information could be attended to.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	The researcher was asked to produce an introductory letter before her request for information could be attended to.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		

n = 20	Yes	No	Partial	Additional information
9. Did the organisation acknowledge the request for information within 7 days?	X			The researcher was contacted the same day and asked to redirect the request to the National Coordinator, as this is the office responsible for all external correspondence.
10. Was the information received clear and understandable?		X		

**Total score: 7/20**

### 3. ELECTORAL COMMISSION OF ZAMBIA

#### CATEGORY 1: WEBSITE

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

The website is up-to-date. It also has a social media presence on Facebook, which is regularly updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?	X			
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 16/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Electoral Commission of Zambia:

- In the event that the COVID-19 pandemic persists, how will the 2021 elections be held?
- Do you have systems in place to hold and monitor the elections under the said circumstances, including voting by inmates?
- How prepared is the commission to hold the 2021 elections?
- Will people in the diaspora vote? If yes, what has been put in place for them?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			The Public Relations Manager called the researcher to arrange a phone interview and gave her the information as requested.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			No information was refused.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			The organisation responded to the request for information without questioning the researcher's motives or aims.
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 16/20**

## 4. MINISTRY OF AGRICULTURE

### CATEGORY 1: WEBSITE

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

The Ministry of Agriculture has an active website and Facebook page, both of which are updated regularly. The website is user-friendly but some pages do not have updated information, such as the tender page.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		

n = 20	Yes	No	Partial	Additional information
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	It has information on the address and contacts but not working hours.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 9/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Agriculture:

- How many farming employees did the ministry employ in the last farming season?
- What is the ministry doing to ensure diversification in the sector?
- What food crops, besides maize, are currently being grown in Zambia?
- How has the Farmer Input Support Programme helped the Zambian farmer in recent years?
- Are there any challenges with the above-mentioned programme? If so, how is the ministry working to resolve them?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			The Office of the Permanent Secretary handles all correspondence on behalf of the ministry.
2. Did the organisation reply within 21 days?	X			An official from the ministry called to schedule an appointment with the researcher.
3. Did the organisation respond to the request for information?	X			When the researcher arrived for the meeting, she was told to make another appointment. She later called the officer, who asked her to call the following day. The officer promised to email the requested information but did not.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		

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

**Total score: 8/20**

## 6. MINISTRY OF GENERAL EDUCATION

### CATEGORY 1: WEBSITE

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

The Ministry of General Education has an updated and informative website. It also has a Facebook page, which is updated much more frequently than the website.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 10/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of General Education:

- In line with the pronouncement by the president to reopen examination classes, how are the pupils in examination classes coping?
- How are the schools in general responding to this directive?
- How will the other classes be integrated into the school system?



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

**Total score: 4/20**

## 7. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE

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

The Ministry of Health has an active and up-to-date website. It also has a social media presence on Facebook, which has been updated daily since the start of the COVID-19 pandemic.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			

n = 20	Yes	No	Partial	Additional information
9. The contact details of specific public officials?	X			The website has the Permanent Secretary's email address.
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Health:

- Do hospitals have sufficient medical supplies to help fight the pandemic?
- How many medical personnel have been deployed to cushion the Medical Personnel Human Resource?
- What is the current value of donations received towards the COVID-19 fight?
- How well do you think the country is handling this pandemic?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			When the researcher followed up on her request, she was told that she needed backing from her organisation before she could be given the information.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 6/20**

## 8. MINISTRY OF HOME AFFAIRS

### CATEGORY 1: WEBSITE

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

The ministry has a website, however, it is not functional. This ministry is not active on social media platforms.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?		X		
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 1/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Home Affairs:

- Has the country started processing applications for dual citizenship? If yes, how has the response been from people in the diaspora?
- What is required for one to obtain dual citizenship?
- Are there any challenges that the ministry is facing in terms of implementing this exercise?
- What are the benefits of having dual citizenship in a country like Zambia?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		Request was initially sent to the Ministry of Foreign Affairs, which caused this delay in response.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		

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

Total score: 12/20

## 8. MINISTRY OF MINES AND MINERAL DEVELOPMENT

### CATEGORY 1: WEBSITE

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

The Ministry of Mines and Mineral Development has an up-to-date website. However, some pages contain no information and/or redirect the user. This ministry has a social media presence on Facebook.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?		X		Some regulations are listed but the links to these regulations do not work.
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

Total score: 9/20

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Ministry of Mines and Mineral Development:

- How much mineral resources does the country have?
- How much does the mining sector contribute to the country's economy and how?
- How can Zambia benefit more from mining?
- What are some of the challenges faced by the sector in Zambia and how can the challenges be resolved?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	The researcher was told that the requested information could not be provided without an introductory letter from her organisation.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

Total score: 7/20

## 9. ROAD TRANSPORT AND SAFETY AGENCY

### CATEGORY 1: WEBSITE

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

The organisation has an active website, which is user-friendly, has online payment systems and also has a provision for online interaction with visitors. It is active on social media platforms including Facebook, Twitter and WhatsApp.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			

n = 20	Yes	No	Partial	Additional information
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	The website has programme information, but no reports or policies.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Road Transport and Safety Agency:

- How many road accidents were recorded in 2019?
- What caused the majority of the accidents?
- What measures has the agency put in place to help minimise road accidents?
- Has the implementation of the speed traps helped reduce road accidents?

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

**Total score: 4/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Anti-Corruption Commission	13	4	17
2. Disaster Management and Mitigation Unit	5	7	12
3. Electoral Commission of Zambia	16	16	32
4. Ministry of Agriculture	9	8	17
5. Ministry of General Education	10	4	14
6. Ministry of Health	10	6	16
7. Ministry of Home Affairs	1	12	13
8. Ministry of Mines and Mineral Development	9	7	16
9. Road Transport and Safety Agency	11	4	15

## RESEARCH CONCLUSIONS

Public organisations in Zambia have shown an increase in the use of social media platforms, such as Facebook and Twitter. Of the nine organisations surveyed, eight were active on social media.

Almost all public organisations in Zambia scored badly in this Transparency Report, especially in the information request category. Several organisations requested an introductory letter, which is a hindrance to information access for ordinary members of the public.

## RECOMMENDATIONS

- Public organisations need to be deliberate about the publication of information especially if it has

to do with their operations and procedures, or is of benefit to the public.

- The government should enact the Access to Information Bill, which will serve both the government and members of the public, and give civil servants guidelines on how to treat requests for information from ordinary members of the public.
- Public organisations should make policies to provide information to members of the public through the use of websites and social media platforms.
- Public organisations should update their websites and social media pages regularly.
- Public organisations should consider allowing electronic requests for information and should also outline procedures for information requests and details such as whom to address.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN ZAMBIA

Although the Disaster Management and Mitigation Unit has up-to-date information on its website, many pages are either empty or redirect the user. The only correspondence received from this organisation in response to the request for information, was to demand an introductory letter from the researcher's organisation.

**Therefore, the 2020 Golden Padlock Award goes to the Disaster Management and Mitigation Unit.**



### THE MOST OPEN PUBLIC ORGANISATION IN ZAMBIA

The Electoral Commission of Zambia has an updated, user-friendly website. It is also active on its social media pages and frequently posts updated information. The organisation has an officer who deals with public relations activities. This officer contacted the researcher and clearly supplied the requested information.

**Therefore, the 2020 Golden Key Award goes to the Electoral Commission of Zambia.**



# ZIMBABWE

TRANSPARENCY ASSESSMENT 2020

The citizens' analysis of government openness in Southern Africa



# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

This year's Transparency Assessment research comes at a time when the world at large is under lockdown restrictions due to the COVID-19 pandemic. Inevitably, this has had an effect on the right of access to information in the country.

At this time, it is especially crucial that all citizens in the country have easy access to information about the pandemic. It is against this backdrop that MISA Zimbabwe filed a court application compelling the Zimbabwean government to regularly provide information on COVID-19 in all of the country's 16 official languages. In April 2020, the High Court ruled in favour of MISA Zimbabwe. As a result, the government (through the Ministry of Information) now provides daily updates on the pandemic.

However, access to information remains a challenge, especially during lockdown as citizens have been restricted from physically visiting many public offices. They have therefore been forced to rely on information available through online platforms, and this is difficult for citizens who do not have access to the internet. This situation has been exacerbated by the increasing high costs of data. Econet Wireless, Zimbabwe's largest mobile network operator, hiked its data and SMS tariffs by approximately 21% in March 2020. A daily bundle data service now costs US\$11 for 40 MegaBytes (MB), while the highest package on offer, 1,200 MB, will now set their customers back US\$150.

In August 2020, at the time of writing this report, Zimbabweans were experiencing socio-economic hardships with inflation pegged at more than 700% and unemployment at more than 90%. This poses the greatest challenge to the right of access to information.

The adverse economy has not spared media organisations which, with the added burden of COVID-19, are facing sustainability issues. Some organisations have reported dwindling advertising revenue. Although most media houses also publish online E-papers, access is restricted due to high data costs. This further undermines citizens' rights of access to information as they prioritise catering for their basic needs over information.

These developments come at the time of gazetting the Cybersecurity and Data Protection Bill. Many people view this bill as being strong on mass surveillance of citizens as opposed to balancing the need for cyber security with the enjoyment of fundamental freedoms as provided in the country's constitution, the African Declaration on Internet Rights and Freedoms, and African Charter on Human and Peoples' Rights declaration on Freedom of Expression and Access to Information.

This year's Transparency Assessment research was also conducted at a time when government officials made chilling threats against what they termed 'social media abuse', as well as intimidations that people, including journalists, could be arrested for freely expressing themselves on social media. Lieutenant-General Edzai Chimonyo, Zimbabwe's National Army Commander, said the military would put social media under surveillance. The military also issued threats against online media publications. This may lead to self-censorship and affect access to information.

## REPEAL OF THE ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT

The Access to Information and Protection of Privacy Act, commonly referred to as AIPPA, was passed by the Parliament of Zimbabwe in 2002. Many described this Act as part of the government's campaign (at that time) to stifle access to information in Zimbabwe.

AIPPA had a bearing on media freedom and journalistic rights, media regulation and protection of privacy or information. This Act controlled the independence of media by granting wide-ranging powers to a Media and Information Commission (which was under government control) and imposing registration/licensing requirements on media organisations as well as journalists. It also imposed strict content restrictions on the media.

It is against this backdrop that the repeal of AIPPA is considered to be an essential step in Zimbabwe's law reform initiatives. Three Bills within AIPPA were proposed for repeal: the Freedom of Information Bill, Zimbabwe Media Commission Bill and Protection of Personal Information Bill.

## FREEDOM OF INFORMATION ACT

On a relatively positive note, the long-awaited Freedom of Information Act came into effect on 1 July 2020. This is part of the process of repealing AIPPA and is a significant milestone in Zimbabwe's law reform agenda.

This piece of legislation grants constitutional rights on freedom of expression, media freedom and access to information held by entities in the interest of public accountability, or for the exercise of a right.

Specifically:

- The Act designates an information officer as the point-person responsible for receiving and processing information requests. However, at the time of this research many organisations had not yet recruited information officers.
- The Act places an obligation on entities to have a written information disclosure policy.
- Section 6 (a) protects deliberations and functions of cabinet and its committees but does not make provision for the declassification of this information.
- Section 7, which focuses on requests for access to information, does not include private entities. This aspect is similar to Section 5 of AIPPA which limited the right of access to information held by public bodies only. This provision, therefore, continues to be restrictive.
- Section 10 states that if a response is not handled within the specified timeframe, the information officer is deemed to have refused the request. An applicant would then need to file an appeal with the Commission. There is no mechanism in place to ensure that in instances of deemed refusals, reasons for the refusal are given.
- Section 16 provides for information to be supplied in a language requested by the applicant. However, translation costs are to be paid by the applicant. As Zimbabwe has 16 official languages, it would have been more inclusive to ensure that information is available and accessible in all official languages. Imposing translation fees is restrictive and discriminatory.
- Section 17 provides for the payment of fees, which include search, translation, the making of copies and inspection fees. It is MISA Zimbabwe's hope that these fees will be reasonable and affordable to low-income members of society to allow for the exercise of the right of access to information.
- Section 22 provides for exemptions on specific information held by private entities, but the Act is silent on requests to private entities.

- The Act provides an exemption of access to information where it is likely to cause prejudice to the defence or security of the State. The Act, under Section 27 (2) also clearly defines what this information includes.
- The Act stipulates that information requests should be made in writing. The Act makes no provision for people who are illiterate or blind, and this has raised concerns. Considering that the law establishes the role of information officers, it should be the duty of that officer to reduce verbal requests into writing for record purposes. This provision is similar to Section 6 of AIPPA.
- Some of the provisions of the Freedom of Information Act support Sections 61 and 62 of the constitution which provide for freedom of expression, media freedom and access to information.

Although this Act comes a long way in repealing AIPPA, there are still many areas of concern. Prior to this bill's passage in parliament, overwhelming submissions were made by citizens during public hearings, pertaining to the roles of the Zimbabwe Human Rights Commission (ZHRC) and Zimbabwe Media Commission (ZMC). Many of the submissions requested that appeals relating to denial of information requests to be lodged with the ZHRC (or a competent court of law), and not with the ZMC (as its constitutional mandate is on media regulation). MISA Zimbabwe agreed with this, holding a strong view that the right of access to information is a human right and that the ZHRC, as the guardian of human rights, is thus more suitable to attend to complaints relating to the exercise of that right as opposed to a media regulatory body.

It is noted with concern that these submissions were ignored in the new act, although it does make provision for further appeals to the High Court if an applicant is not satisfied with the decision of the ZMC.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The aim of this study was to assess the state of access to information in Zimbabwe. Citizens require information to make choices and decisions and this study sought to determine whether such information, as held by public organisations, is available to citizens in a usable format upon request.

### OBJECTIVES OF THE STUDY

- To determine which public organisations provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations utilise online platforms to promote access to information.

### RESEARCH METHODOLOGY

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

### LIMITATIONS OF THE STUDY

- Given the limited timeframe for the survey and the fact that Zimbabwe has been under COVID-19 lockdown restrictions since March 2020, it was not feasible to effectively test the new Freedom of Information Act, the openness of the public organisations and to survey all organisations as originally planned.
- The culture and practice of acknowledging receipt of information requests, as opposed to providing the information sought, is still a challenge in some organisations. The targeted public organisations do not always notify the requester when they receive the information request letters. They normally only acknowledge receipt of such requests upon physical follow-up visits to their offices.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Chipinge Rural District Council
2. Chitungwiza Municipality
3. Environmental Management Agency
4. Forestry Commission of Zimbabwe
5. Ministry of Health and Child Care
6. Ministry of Mines and Mining Development
7. Ministry of Primary and Secondary Education
8. Ministry of Women Affairs, Community, Small and Medium Enterprises Development
9. Mutare City Council
10. Zimbabwe School Examinations Council

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- Most websites were poorly managed and not updated regularly.
- Critical information, such as procedures on how to obtain information, budgetary allocations and procurement procedures, was not available.
- Some websites generated error messages.
- Some public organisations use social media to disseminate information.

### Category 2: Requests for information

- Most organisations imposed restrictions on visitors, which made the submission of requests difficult. Electronic and telephonic requests were therefore relied upon.
- Written requests were not responded to. Verbal requests were acknowledged, although the requested information was not necessarily given.

# DETAILED FINDINGS

## 1. CHIPINGE RURAL DISTRICT COUNCIL

### CATEGORY 1: WEBSITE

The Chipinge Rural District Council does not have a website nor social media accounts.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?				
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?				
3. A list of laws, acts, etc, issued within the scope of its powers?				
4. Copies of reports, policies or programmes?				
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?				
7. Information about vacancy and employment procedures?				
8. The address, telephone number, and working hours of the organisation?				
9. The contact details of specific public officials?				
10. A mechanism to request and receive responses to electronic messages and requests for information?				

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Chipinge Rural District Council:

- The proposed plan for the council's 2020 budget.
- Chipinge Rural District Council's vision and plan on devolution.
- Budget allocated for devolution to council in 2019.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Chief Executive Officer
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			The organisation provided the requested information verbally.

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

**Total score: 14/20**

## 2. CHITUNGWIZA MUNICIPALITY

### CATEGORY 1: WEBSITE

[www.chitungwiza.co.zw](http://www.chitungwiza.co.zw)

The website is under construction and currently offers limited information which is not up-to-date. The organisation has social media accounts (Twitter and Facebook) which are updated every second day.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	
3. A list of laws, acts, etc, issued within the scope of its powers?			X	
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	It has contact details.
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 5/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Chitungwiza Municipality:

- Information on the expenditure of devolution funds allocated to Chitungwiza Municipality for the years 2019 and 2020.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			Written reasons were not provided. However, it was telephonically communicated that the initial request had not been received. The Town Clerk recommended that the request be emailed.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			

**Total score: 6/20**

### 3. ENVIRONMENTAL MANAGEMENT AGENCY

#### CATEGORY 1: WEBSITE

[www.ema.co.zw](http://www.ema.co.zw)

The institution has a partially up-to-date website and is active on social media platforms.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		

n = 20	Yes	No	Partial	Additional information
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Environmental Management Agency:

- Information on the environmental regulations guiding small-scale artisanal mining in Zimbabwe.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			The institution acknowledged receipt of the request but could not provide the information.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			Yes, the officer in charge of information requests was not available.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			The reasons for not providing the information were clear.

**Total score: 12/20**

## 4. FORESTRY COMMISSION OF ZIMBABWE

### CATEGORY 1: WEBSITE

[www.forestry.co.zw](http://www.forestry.co.zw)

The website only has limited up-to-date information. The organisation has an active Facebook page.



n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The organisation has a mechanism to send questions, suggestions and feedback.

**Total score: 9/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Forestry Commission of Zimbabwe:

- Information on the environmental regulations regarding deforestation and the management of forests.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			The Provincial Forest Extension Manager stated that the initial request had not been received, and recommended that it be emailed.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			



n = 20	Yes	No	Partial	Additional information
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			

**Total score: 8/20**

## 5. MINISTRY OF HEALTH AND CHILD CARE

### CATEGORY 1: WEBSITE

[www.mohcc.gov.zw](http://www.mohcc.gov.zw)

The website is easy to navigate and is regularly updated. The organisation is active on social media platforms, which are updated with relevant information on a daily basis.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website has a webmail facility.

**Total score: 16/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Health and Child Care:

- How many COVID-19 quarantine centres do we have in Zimbabwe and where are they located?
- How many people with disabilities accessed the quarantine centres since March 2020?
- How accessible are the quarantine centres for people with disabilities?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Permanent Secretary of Ministry of Health and Child Care
2. Did the organisation reply within 21 days?		X		

n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?		X		The organisation claimed that the request for information had not been received.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?	X			The reasons for not acknowledging and providing information were clear.

**Total score: 8/20**

## 6. MINISTRY OF MINES AND MINING DEVELOPMENT

### CATEGORY 1: WEBSITE

[www.mines.gov.zw](http://www.mines.gov.zw)

The website generated a security error message.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?				
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?				
3. A list of laws, acts, etc, issued within the scope of its powers?				
4. Copies of reports, policies or programmes?				
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?				
7. Information about vacancy and employment procedures?				
8. The address, telephone number, and working hours of the organisation?				
9. The contact details of specific public officials?				

n = 20	Yes	No	Partial	Additional information
10. A mechanism to request and receive responses to electronic messages and requests for information?				

**Total score: 0/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Mines and Mining Development:

- Information on the allocation of mining claims used by the Ministry of Mines and Mining Development to the citizens of Zimbabwe, including claims allocation procedure, requirements for prospective claim owners and grievances mechanisms on double allocation of claims.

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

**Total score: 14/20**

## 7. MINISTRY OF PRIMARY AND SECONDARY EDUCATION

### CATEGORY 1: WEBSITE

[mopse.co.zw](http://mopse.co.zw)

The website is visually appealing, fairly easy to navigate and the homepage is regularly updated. The organisation is also active social media platforms.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			

n = 20	Yes	No	Partial	Additional information
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			It doesn't have working hours.
9. The contact details of specific public officials?				
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Primary and Secondary Education:

- As the reopening of schools is on the cards, what measures are in place for students and teachers considering that most of the schools in Zimbabwe were used as quarantine centres?
- What safety measures are in place for examination classes?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Permanent Secretary
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			The ministry partially responded to the request for information: the researcher was referred to newspaper articles, press statements, parliament and the ministry's website for more information.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?			X	
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			

n = 20	Yes	No	Partial	Additional information
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 15/20**

## 8. MINISTRY OF WOMEN AFFAIRS, COMMUNITY, SMALL AND MEDIUM ENTERPRISES DEVELOPMENT

### CATEGORY 1: WEBSITE

[www.women.gov.zw](http://www.women.gov.zw)

The organisation's website generated an error message. The organisation is not active on social media platforms.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?				
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?				
3. A list of laws, acts, etc, issued within the scope of its powers?				
4. Copies of reports, policies or programmes?				
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?				
7. Information about vacancy and employment procedures?				
8. The address, telephone number, and working hours of the organisation?				
9. The contact details of specific public officials?				
10. A mechanism to request and receive responses to electronic messages and requests for information?				

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Ministry of Women Affairs, Community, Small and Medium Enterprises Development:

- Statistics of victims of child marriages and rape cases in Hwedza from 2019 to date.
- To what extent has the ministry and relevant stakeholders been able to intervene in preventing human rights violations?
- Kindly outline the conflict areas to do with development clubs in communities including co-operatives, burial societies and savings clubs.
- Outline the challenges being faced by the ministry in playing its role in community development and what proposals do you have to ameliorate these challenges.

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

**Total score: 12/20**

## 9. MUTARE CITY COUNCIL

### CATEGORY 1: WEBSITE

[www.mutarecity.co.zw](http://www.mutarecity.co.zw)

The website is not up-to-date and lacks useful information. However, the social media pages are active and regularly updated to inform the public about important developments in the organisation and the city in general.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	
9. The contact details of specific public officials?		X		

n = 20	Yes	No	Partial	Additional information
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 1/20**

## CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to Mutare City Council:

- Information on the environmental regulations regarding deforestation in Mutare.
- The measures being implemented by the city council to curb deforestation in Mutare.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			Acting Chief Security Officer of City of Mutare
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			Yes, however the organisation could not provide the requested information due to the COVID-19 regulations.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?			X	They verbally provided the reason why they could not provide the information within 21 days.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			The reasons why they could not provide the information were understandable.

**Total score: 11/20**

## 10. ZIMBABWE SCHOOL EXAMINATIONS COUNCIL

### CATEGORY 1: WEBSITE

[www.zimsec.co.zw](http://www.zimsec.co.zw)

The website generated an error message, and the organisation is not active on social media.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?				
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?				
3. A list of laws, acts, etc, issued within the scope of its powers?				
4. Copies of reports, policies or programmes?				
5. Information on budget and expenditure?				
6. Information about procurement procedures or signed contracts?				
7. Information about vacancy and employment procedures?				
8. The address, telephone number, and working hours of the organisation?				
9. The contact details of specific public officials?				
10. A mechanism to request and receive responses to electronic messages and requests for information?				

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

A request for the following information was sent to the Zimbabwe School Examinations Council:

- How many learners with disabilities registered for examinations in 2017-2019 (June and November)?
- The total number of students who registered for the 2017-2019, June and November examinations.
- The pass rate among learners with disabilities for the period under review.
- What provisions does ZIMSEC have for learners with disabilities when they sit for their examinations?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?				



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

**Total score: 14/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Chipinge Rural District Council	0	14	14
2. Chitungwiza Municipality	5	6	11
3. Environmental Management Agency	14	12	26
4. Forestry Commission of Zimbabwe	9	8	17
5. Ministry of Health and Child Care	16	8	24
6. Ministry of Mines and Mining Development	0	14	14
7. Ministry of Primary and Secondary Education	10	15	25
8. Ministry of Women Affairs, Community, Small and Medium Enterprises Development	0	12	12
9. Mutare City Council	1	11	12
10. Zimbabwe School Examinations Council	0	14	14

## RESEARCH CONCLUSIONS

- Apart from three organisations, all the rest scored badly. Several organisations claimed that information requests were not received.
- Of the ten organisations surveyed, the following had no functional websites: Chipinge Rural District Council; Ministry of Women Affairs, Community, Small and Medium Enterprises Development; and Ministry of Mines and Mining.
- Although six organisations acknowledged receipt of the information requests, only two responded well to the requests for information.

## RECOMMENDATIONS

- Organisations should be encouraged to use online platforms to disseminate information to the public.
- The new legislation on access to information, as set out in the Freedom of Information Act, should be continuously evaluated.
- The new information law insists on written information requests but when the offices are closed, citizens may be denied the ability to exercise their rights. The law needs to be flexible on the format of how information requests can be received.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN ZIMBABWE

The Chitungwiza Municipality did not respond to the requests for information. A senior official stated that they did not receive the request and recommended that the requests be resubmitted through email.

**Therefore, the 2020 Golden Padlock Award goes to Chitungwiza Municipality.**



### THE MOST OPEN PUBLIC ORGANISATION IN ZIMBABWE

The Environmental Management Agency has a partially up to date website and is active on social media. Although they were unable to provide the information requested, they explained their reasons.

**Therefore, the 2020 Golden Key Award goes to the Environmental Management Agency.**



**MISA**  
TRANSPARENCY  
ASSESSMENT