TANZANIA

2014 REPORT ON THE MOST OPEN AND SECRETIVE
GOVERNMENT INSTITUTIONS IN TANZANIA

INTRODUCTION

The history of access to information in this country can be traced back to pre-colonial times. Dr Ayub Rioba, in his 2008 thesis entitled 'Media in Tanzania's Transition to Multiparty Democracy: An Assessment of Policy and Ethical Issues', says that in pre-colonial times access to information was mainly organised through local and traditional means.

According to Dr Rioba, information passed from one generation to another by elders through storytelling and drum beating. Furthermore, information such as early warnings on invasions, weddings, death or birth announcements etc. was shared through word of mouth. Elders and other members of the community would 'horn-foot' from the tallest trees or top of the mountains to spread information or pass on the message.

He mentions that drama, theatre, and music played a significant and unifying role in keeping the entire community informed of crucial events, and at the same time passing on the legacy from one generation to another.

The reason why Dr Rioba wrote this history was to show how our ancestors recognised the importance of access to information. Events such as hunger and famine would be communicated early and thus communities would know how to avert it or how to deal with it. It was crucial for the development of those communities.

Access to information is just as important today. Access to information and the ability to report and comment on issues of local interest are recognised as critical enablers for empowerment of the poor and social accountability. More open information flows and a greater range of communication channels are needed to meet the information needs of the poor and to advance pro-poor perspectives in policy dialogue.

Despite its Constitutional mandate, the government often does not inform the public about decisions and projects that could potentially be of benefit to them. This can be deliberate, due to the ignorance of information holders, or because sometimes authorities don't consider how important the information is for the intended recipients. When the public does learn of such acts through unofficial channels, enquiries into the withholding of information often fall on deaf ears. As a result, the public is often unaware of the potential hazards or benefits of many government decisions and projects.

Several international initiatives have stated categorically why access to information should be clearly provided for in national Constitutions. For example, part of the deliberations of the 2013 G8 Lough Erne Declaration, emanating from the Summit on June 18 2013 in Northern Ireland, states: "Governments should publish information on laws, budgets, spending, national statistics, elections and government contracts in a way that is easy to read and re-use, so that citizens can hold them to account".

March 2013 witnessed the adoption of the African Union's "Model Law on Access to Information for Africa" by the African Commission on Human and Peoples' Rights (ACHPR). The Model Law is intended to guide African States on the adoption of access to information (ATI) legislation, as well as provide benchmarks for their "effective implementation".

In Tanzania, efforts to enact an access to information law have been in progress for almost a decade. Both the government and civil society have been working towards this, sometimes separately, sometimes together.

In October 2006 the Ministry of Information, Youth, Culture and Sports took a positive step forward by posting, albeit briefly, on its website a draft Freedom of Information Bill, and invited stakeholders to provide their input on the proposed Bill. However, the draft Bill was almost immediately removed from the website and the government later renounced it. Nevertheless, it was the beginning of an intense and engaging dialogue between the government, media and human rights stakeholders calling for the repeal of laws, which were acknowledged in the Information and Broadcasting Policy 2003 as 'bad' laws restricting freedom of expression and the press.

In the same year stakeholders met to discredit the Bill and unanimously resolved to reject the draft Freedom of Information Bill 2006 due to the fact that the Bill had the potential to further restrict freedom of information and not to promote it, contrary to Article 18 of the current Constitution.

The stakeholders also made a commitment to conduct a nationwide consultative process to gather views and opinions from various stakeholders and to provide input to the government so that a better ATI law could be developed.

Since then, a Coalition on the Right to Information led by the Media Council of Tanzania (MCT) has conducted a series of consultative meetings with the government and the general public working towards drafting a more comprehensive ATI law.

The Stakeholders' Proposals on the Right to Information Bill contains the following features:

Title: "Right to Information Bill"
The stakeholders decided on the title 'Right to Information' rather than 'Freedom of Information' because a right can be exercised but freedom can be a mere recognition without binding effect. The title is derived from Article 18 of the Constitution of the United Republic of Tanzania 1977 (as amended in 2005). Similar provisions are also found in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Overriding effect on other laws
The stakeholders' proposed Right to Information Bill is intended to have an overriding effect on existing legislation after its enactment into law. The Bill includes a clause that aims to repeal provisions of any other statute that denies or exempts access to any information or document in the possession of a public or private body.

Section 3(2) of the draft Bill provides:

> *Subject to the Constitution of the United Republic of Tanzania 1977, the provisions of this Act shall override the provisions of any other enactment relating to right to information.*

Maximum Disclosure

The stakeholders' proposed Right to Information Bill was based on the principle of maximum disclosure with minimum exemptions guaranteed by law. This principle requires governments enacting legislation to promote freedom of information to ensure that there is maximum disclosure of information from public and private bodies. Exemptions, which are allowed for in the Bill in certain circumstances, are normally accepted only if such exemptions are clearly provided for in the law. The stakeholders' Bill restricts the powers of public bodies to be able to deny access to information based on their personal discretion.

Right to Access Information

Part II of the Bill defines the right to access information, as well as setting out procedures on how to request and obtain information. Conditions and circumstances for refusal of access to information are also mentioned. If access is denied, the information seeker is entitled to appeal at a higher level within the same organisation. A second appeal can be made to the Information Commission. Any aggrieved party may refer the matter further to the High Court to review the legality of the decision of the Commission.

Appointment of Information Officers

The draft Bill imposes a duty on every institution, whether public or private, to appoint or designate an 'information desk officer' who will be responsible for providing information. The information officer will also handle all complaints concerning the provision of information from that institution. The information officer position does not necessarily mean recruitment of new staff; anyone within the organisation could be so designated, provided that person is conversant with available information within the institution.

Duty to Publish Information

The draft Bill imposes a duty on every public or private body to publish key information relevant to its activities. The recently established Commission of Information is empowered to make regulations regarding this obligation.

Disclosure of Information of Public Interest

This allows for the disclosure of exempt information on the grounds that it is in the public interest to disclose such information. Whistleblowers are also protected against actions and unfair treatment because of their voluntary disclosure of certain information. The main condition for people to be considered whistleblowers and bonafide informers is that they should act in good faith for the purpose of unearthing wrongdoing such as corruption, pilferage of public property and danger to the environment or public health.

New Institutions

This establishes new institutions that would be responsible for all issues relating to access to information. The Commission of Information was established with a mandate of implementing and supervising effective implementation of the law. The appointment procedure and qualifications of members of the Commission and of the appointments' committee is laid down in the draft Bill. Another body proposed by the draft Bill is an independent stakeholders' forum.

RATIONALE AND RESEARCH PARAMETERS

MISA Tanzania joined other MISA Chapters in participating in a study to establish the most open and secretive government institutions in each respective country. The study started on the 16th of June and was concluded on 7th of July 2014.

Six of the eight participating institutions were randomly picked depending on the relevance of their mandated work. The other two – the Ministry of Energy and Minerals and the Ministry of Health and Social Welfare – were selected because they were the best and worst performers respectively from last year's study, and MISA Tanzania wanted to see if there has been any significant change with respect to their openness since the last study was conducted.

Selected Ministries included:
1. Ministry of Health and Social Welfare (MoHSW)
2. Ministry of Education and Vocational Training (MoEVT)
3. Ministry of Energy and Minerals (MEM)
4. Ministry of Foreign Affairs and International Cooperation (MoFAIC)

Selected agencies included:
5. The Judiciary of Tanzania
6. National Bureau of Statistics (NBS)
7. National Identification Authority (NIDA)
8. The Parliament of Tanzania (BUNGE)

RESEARCH METHODOLOGY

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

DATA ANALYSIS

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

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

Description of Assessment Criteria

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

Category 1: Website Analysis

Group 1: (0 – 6) Absence of a website or an extremely poor website containing no or almost no relevant public information.
Group 2: (7 – 13) Average website containing some relevant public information.
Group 3: (14 – 20) Well organised, transparent website providing a good amount of relevant public information.

Category 2: Written Request/Oral Request

Group 1: (0 – 6) Denied access to reasonable information request or acted with high levels of secrecy.
Group 2: (7 – 13) Displayed an average level of openness in allowing access to public information.
Group 3: (14 – 20) Displayed openness in allowing access to public information. Institution was helpful and transparent.

Limitations of the Study

- The culture of acknowledging the receipt of information requests is still a challenge in some agencies and ministries. In general, when a letter is sent, someone receives it, signs a dispatch form and delivers it to the intended target. This intended target doesn't notify the requester that he/she has received the letter. It is only after a follow up call is made when that the requester is informed, "yes we got it" or "maybe it is still at the registry". This year, some of the officials asked to accept receipt of the letters didn't even want to sign the dispatch form. This gives the impression that nobody wants to be held responsible.
- The timing of the research is challenging. This is the busiest time for most public offices, especially ministries, as it is around the time of the budgetary session in Parliament. Most of those who are supposed to respond to requests are not always available at this time.

SUMMARY OF KEY FINDINGS

Category 1: Website Analysis

- It has been observed that almost all of the eight surveyed public institutions have relatively up-to-date websites. The websites are well organised and transparent, providing a good amount of relevant public information. From the websites one can determine the location of the office. Some websites have maps, contact details and working hours.
- Ample time was scheduled for monitoring the website objectively. Most of these sites were linked to the national government website, which facilitates information seeking and sharing. The Ministry of Education and Vocational Training, the National Identification Authority and the National Bureau of Statistics scored high in this category, each with 15 and 16 points respectively. The Judiciary of Tanzania website contained the least information, scoring 12 points.

- It was observed that while the websites contained information about tendering and procurement (some notices posted), none of the sites gave details with respect to who tenders were awarded to.
- Most of the offices have websites and it was observed that the information posted is current and selected documents are available for download.

Category 2: Request for Written and Oral Information

- Of all the surveyed institutions, only the NBS acknowledged that they received the request within the first seven working days. They responded to all questions provided.
- The researcher hand-delivered the request letters and also sent them via email to the respective institutions. Unfortunately, only the NBS responded electronically, and the others did not respond at all.
- The requests for information were sent on the 16th and 17th of June 2014 respectively, and dispatches were signed by the person receiving them. A week later a follow up activity was conducted, mainly by telephone, and after fourteen days physical visits were made when it became evident that telephone communications were a challenge for some offices. At the Ministry for Health, for instance, a registry unit worker almost refused to sign that she had received the letter, and when the researcher tried to call the office to follow up, nobody answered the phone.
- At some ministries (eg MEM, MOFAIC), when the researcher called the office, staff answered and promised to call back, but never did. After a follow up visit the researcher received the response that "they are still working on the request".
- With the exception of the NBS office, whose response was timely and informative, other offices did not acknowledge that they had received a letter of request for information. Some of these offices have client service charters that provide details of providing responses, but it was observed that some staff were not aware that such a document exists.

DETAILED FINDINGS

1.   Parliament of Tanzania (known as *Bunge* in Swahili)

CATEGORY 1: WEBSITE
www.parliament.go.tz

This is one of the most updated websites. The website is in English, but information can be obtained in either of the two national languages – Swahili and English. However, the Constitutional Assembly website is only in Swahili, and can be accessed at http://www.bungemaalum.go.tz/.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			**Various reports and National Assembly/***Bunge* **reports from 2014**
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			**Well-described structures that serve Parliament and the public. The mandate of Parliament and the responsibilities of the administration are outlined.**
b) A list of laws, Acts etc. issued within the scope of its powers?	●			
c) Reports, policies, programs?	●			**Parliamentary reports posted**
d) Budget and expenditure?		●		
e) Information about procurement procedures, signed contracts?			●	**Tender notices are on the site but the signed contracts are not posted**
f) Vacancy and employment procedures?	●			**Vacancy notices are there, and the procedures are shown in the vacancy announcements**
g) The name and address, telephone number, and the working hours of the respective institution?	●			**There is some detailed information, but no working hours are shown**
h) The contact details of public officials?	●			**The contact details of the clerk of the assembly and private assistant are shown**
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			**There is an email address and a dialog box to post questions to MPs**

Total Score: 17/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Parliament of Tanzania:

1. There are reports and incidences of members of Parliament using immunity in the house to attack those individuals who cannot afford to be there to defend themselves. How is your office addressing this matter?
2. There have been concerns and complaints with regard to the mechanism of reaching a decision by the speaker when asking a YES or NO question over a subject under discussion. Do you think this is a fair method, and if not, is your office considering another method such as hand voting to reach a decisive judgment on a particular matter?
3. What is the annual budget of Parliament? Can citizens access the budget?
4. Citizens have had concerns over what our representatives earn; salaries and entitlements. As a result there has been inaccurate information as to how much they earn. Could your office supply me with this information?
5. How does the house ensure the proper use of the Constituency Development Catalyst Fund by Parliamentarians? Do you receive complaints of any misuse of the funds?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		The registry unit channels all correspondence to the Clerk of the National Assembly (*Bunge*)
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	The Dar es Salaam registry unit received the request but during follow-ups it was discovered that the letter had been misplaced internally. Though they promised to keep looking, after 21 days the researcher had not heard from them.
3. Did the Institution respond to a request for information?		●	The responsible person was in Dodoma, another National Assembly/*Bunge* office
4. Does the authority publish their procedures for dealing with information requests?	●		
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)	●		
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	No response was received from the National Assembly/*Bunge* office
7. Did the institution disclose information about its operations, budgets, structure etc.		●	They did not disclose their operations and budget
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	When contacted the office promised to get back to the researcher but no response was received
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 6/20

2. Ministry of Education and Vocational Training (MoEVT)

CATEGORY 1: WEBSITE
www.moe.go.tz

Scoring 15/20, this website is obviously one of the up-to-date ones. Like the rest of the government institutions it is linked to the national website. The site contains updated information and is linked to other Ministries' websites that are directly connected to it. It also has a visitors' counter that shows how many people have visited the page.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			2014/15 budget, recent scholarships posted
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			It shows not only the organisational structure but also the chart and approved functions
b) A list of laws, Acts etc. issued within the scope of its powers?			●	
c) Reports, policies, programs?	●			The education and training policy for 2011 can be accessed
d) Budget and expenditure?			●	
e) Information about procurement procedures, signed contracts?			●	Only announcements are posted, no signed contracts
f) Vacancy and employment procedures?			●	

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

Total Score: 15/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to MoEVT:

1. There is a problem of inadequate numbers of teachers in our schools, but there are unemployed graduates coming out of teaching colleges and universities every year. What prevents these graduates from being employed?
2. There have been complaints by teachers every year concerning their welfare (salaries/allowances and housing). What is the ministry doing to address these issues?
3. There is proven evidence that pupils complete standard seven and join secondary schools, yet they cannot read and write. Do you know about this situation, and if so, what is the ministry's reaction to this matter?
4. What is the ministry doing in terms of curriculum development to ensure that primary and secondary school leavers can sustain themselves, if they don't get an opportunity to further their education?
5. The idea of a primary and secondary school capitation grant has been a success in some ways, but studies have indicated that the money (USD$10 and $20 for primary schools and secondary school respectively) do not reach the intended target. What has been the main reason and what is being done to solve the problem?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		**Registry unit deals with all correspondence and directs them to the permanent secretary**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	
4. Does the authority publish their procedures for dealing with information requests?	●		**There is a client service charter**
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 4/20

3. Ministry of Energy and Minerals (MEM)

CATEGORY 1: WEBSITE
https://mem.go.tz

Available in both Swahili and English languages, the MEM website is among the best. The site is up to date and contains almost all information about the ministry. It is also linked to the national website and all its affiliate agencies. It was one of the best last year and continues to maintain this standard.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			Contains the 2014/15 ministry budget
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			Both administrative and political structures are detailed on the website
b) A list of laws, Acts etc. issued within the scope of its powers?	●			The Mining Act 2010
c) Reports, policies, programs?	●			The Natural Gas Policy 2013
d) Budget and expenditure?	●			The 2014/15 budget and expenditure is presented
e) Information about procurement procedures, signed contracts?			●	While information on tender and procurement are available, no signed contracts are posted
f) Vacancy and employment procedures?			●	
g) The name and address, telephone number, and the working hours of the respective institution?	●			Office Working Hours: 07.30hrs – 15.30hrs, Monday to Friday.
h) The contact details of public officials?	●			The permanent secretary
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			Emails are monitored even after normal working hours

Total Score: 18/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the MEM:
1. Rural electrification is one of the key indicators for the country's development. To what extent has this been done in the country?
2. What are the strategies in place to make sure the country does not solely depend on water for electricity production?
3. To what extent is the local population involved in deciding or implementing energy-based projects established in their areas?
4. How easily available is information on energy-based projects to those who need it?
5. About the gas industry: is there going to be a gas plant in Mtwara so that Dar is one of the markets or will the plant be in Dar so that Mtwara is an external market for gas? Is there no way of establishing everything in Mtwara and only extending the pipes to other regions including Dar es Salaam and thereby creating employment opportunities to the natives? For example GAZPROM in Russia (if I'm not mistaken), has its gas taken to Western Europe for sale.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		The registry unit and the permanent secretary's office deals with all correspondence
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	It was after the researcher called the office one week later
3. Did the Institution respond to a request for information?		●	

n = 20	Yes	No	Additional Information
4. Does the authority publish their procedures for dealing with information requests?	●		There is a client service charter
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	During follow ups, conducted by phone. They responded that the office was still working on the request
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	When submitting the request, the researcher was asked the purpose of his request
9. Did the institution acknowledge your request for information within 7 days?		●	During the follow-ups they acknowledged that they had received the request
10. Was the information received clear and understandable?		●	

Total Score: 4/20

4. Ministry of Foreign Affairs and International Cooperation (MoFAIC)

CATEGORY 1: WEBSITE
www.foreign.go.tz

The website is loaded with useful and current information. It is linked to the national government website, and the Ministry also has Twitter and facebook accounts. Information is also available in both Swahili and English.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			Contains the 2014/15 ministry budget
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			Departments and functions of the ministry are available
b) A list of laws, Acts etc. issued within the scope of its powers?	●			
c) Reports, policies, programs?	●			Ministerial reports
d) Budget and expenditure?	●			
e) Information about procurement procedures, signed contracts?			●	There is a department that manages all procurement and the disposal of tender activities of the Ministry, including the missions. It does not deal with the adjudication and the award of contracts, in accordance with the Ministry's approved Annual Plan. No budget or contracts are displayed
f) Vacancy and employment procedures?			●	
g) The name and address, telephone number, and the working hours of the respective institution?	●			
h) The contact details of public officials?	●			
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			Email contacts for the ministry and diplomatic mission abroad

Total Score: 16/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the MoFAIC:

1. Tanzanians living abroad have had concerns (diaspora) over dual citizenship and the right to participate in elections back home. How is the ministry addressing these concerns?
2. What criteria are considered when establishing a diplomatic office in certain countries? What do we do to serve Tanzanians living in countries where we do not have a consulate?
3. What is the benefit of sending our troops for peacekeeping missions abroad?
4. There have been complaints by students studying abroad about not getting timely and necessary help when they encounter problems in the countries where they are studying. How is your office addressing this matter?
5. Despite the good intentions of the government to find employment opportunities abroad for citizens, there have been reported incidences where those who are sent overseas for work are poorly treated and do not get what they expected. Girls and women, for example, have been lured and forced to work as sex workers and other indecent jobs in countries like UAE and China by their agents. What is your ministry doing to address this problem?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		The registry unit and the permanent secretary
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	They called the researcher and promised to respond within the timeframe but no response was received after several calls and a physical visit
4. Does the authority publish their procedures for dealing with information requests?	●		There is a client service charter
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	They did not refuse to provide information, but the responsible person was away on a trip
7. Did the institution disclose information about its operations, budgets, structure etc.		●	They did not disclose the budget and operations
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	The officer called the researcher to find out why the request was made and how the information would be used
9. Did the institution acknowledge your request for information within 7 days?		●	A call acknowledging the receipt was made after seven days
10. Was the information received clear and understandable?		●	

Total Score: 4/20

5. Ministry of Health and Social Welfare (MoHSW)

CATEGORY 1: WEBSITE
www.moh.go.tz

It has current information but it's not particularly user friendly. Of all the websites with a visitors' counter, this has a smallest number of daily visitors. Information can be accessed in both Swahili and English.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			For example, health reports from 2014 and the 2014/15 budget
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			The administrative structure is there, as well as the ministerial levels
b) A list of laws, Acts etc. issued within the scope of its powers?	●			The Law of the Child Act 2009
c) Reports, policies, programs?	●			Health Policy 2007
d) Budget and expenditure?			●	
e) Information about procurement procedures, signed contracts?			●	
f) Vacancy and employment procedures?	●			Employment notices and procedures
g) The name and address, telephone number, and the working hours of the respective institution?			●	
h) The contact details of public officials?			●	
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			Email contacts

Total Score: 16/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the MoHSW:

1. Fistula, a condition that women face with pregnancy that is easily preventable and treatable, is still a challenge in rural Tanzania. What is the government doing to make sure the problem is averted?
2. How does the ministry implement education surrounding nutrition for families and children in the country?
3. There have been issues between the government and the doctors in the national, referral and regional hospitals. The consequences have been severe, especially for ordinary citizens. What steps has your ministry taken to sort out this problem?
4. There have been complaints from communities and even Members of Parliament concerning the Medical Stores' Department (MSD) supplying outdated medical supplies. What has your ministry done to solve that problem?
5. There is a shortage of medical supplies and medical personnel in most public hospitals and health centers. What steps have been taken by the government to find a solution to this problem?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		The registry unit and the permanent secretary
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	The person at the registry was not cooperative
4. Does the authority publish their procedures for dealing with information requests?		●	The person at first refused to sign for receipt of the letter, later agreed but was rude
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	The institution was not helpful and assumed everyone visiting the office knows the procedures
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	

n = 20	Yes	No	Additional Information
9. Did the institution acknowledge your request for information within 7 days?		●	Even after trying to call several times, the phone was not answered
10. Was the information received clear and understandable?		●	

Total Score: 2/20

6. The Judiciary of Tanzania

CATEGORY 1: WEBSITE

www.judiciary.go.tz

The website contains information in both Swahili and English. Information is updated but only occasionally. The layout of the website is attractive but the information provided isn't sufficient.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			●	Mentions Law Day 2014, but the court calendar shows 2010 details
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			Hierarchy of the judicial body
b) A list of laws, Acts etc. issued within the scope of its powers?	●			Judicial rulings, judgments and orders
c) Reports, policies, programs?	●			
d) Budget and expenditure?		●		
e) Information about procurement procedures, signed contracts?		●		
f) Vacancy and employment procedures?		●		
g) The name and address, telephone number, and the working hours of the respective institution?			●	Names of regional registrars are there, but working hours are not shown
h) The contact details of public officials?	●			List of court registrars
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			

Total Score: 12/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Judiciary of Tanzania:

1. How have you been addressing the issue of legal representation at the primary court level? Because of this legal right, there are reports that innocent people languish in jails due to inadequate representation. How are these concerns addressed by your office?
2. Most of the primary court buildings are either dilapidated or lack necessary services, which lead to court sessions not being conducted properly and in a timely manner. What is your office doing to solve this infrastructure challenge?
3. How do you address the confusion between the executive branch and the judicial branch? How independent can we say the judiciary is?
4. Incidences of corruption are reported in most public offices, and the judiciary is not free from those allegations. Where do you draw the line when those who are supposed to interpret the law become the culprit?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		The registry unit directs the request to the chief court administrator
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	
4. Does the authority publish their procedures for dealing with information requests?		●	When asked, staff at the registry did not know if the office has that tool
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	The responsible person was out of the office
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	A call was made and the office said they are still working on the request
7. Did the institution disclose information about its operations, budgets, structure etc.		●	No, they did not disclose
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?		●	Only after the researcher called the office one week later
10. Was the information received clear and understandable?		●	

Total Score: 2/20

7. National Bureau of Statistics (NBS)

CATEGORY 1: WEBSITE

www.nbs.go.tz

This is one of the most current and updated websites. It has lots of information, both old and new. The only challenge with this website is that the majority of information can only be accessed in English, even though the majority of Tanzanians speak Swahili.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			2012 census database posted
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			It has a structure chart showing directorates and functions, and a
b) A list of laws, Acts etc. issued within the scope of its powers?	●			client service charter
c) Reports, policies, programs?	●			Statistics Act 2002
d) Budget and expenditure?		●		Dissemination and Pricing Policy 2010 and all statistical reports from 1967 – 2013
e) Information about procurement procedures, signed contracts?			●	There is information on procurement procedures but no signed contracts
f) Vacancy and employment procedures?		●		
g) The name and address, telephone number, and the working hours of the respective institution?	●			The detailed office physical address is posted
h) The contact details of public officials?	●			Director General
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			Email contact, and they acknowledge receipt of your email

Total Score: 15/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the National Bureau of Statistics:

1. How do common citizens access information useful to them from your office? Do they need to pay for information?
2. What kind of statistics are produced by your office?
3. How do you perform your duties? Do you have people and resources on the ground all over the country to undertake research?
4. How do you harmonise the data you provide and that provided by other agencies such as TACAIDS or TBS?
5. How do you work with other institutions, such as those of higher learning and research? Do you believe information/statistical information prepared by these institutions is relevant in shaping the development of the country?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		Director General of the Bureau
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		The questions sent via email were replied to promptly, five days after they were sent
3. Did the Institution respond to a request for information?	●		They promptly responded to the request
4. Does the authority publish their procedures for dealing with information requests?	●		The client service charter contains the details on how a citizen/client can receive information
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)	●		The five questions asked by the researcher were answered
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	Requested information was received by the researcher
7. Did the institution disclose information about its operations, budgets, structure etc.	●		The budget of the bureau can easily be accessed
8. Did the authority provide information without questioning the aims and motivations of the applicant?	●		
9. Did the institution acknowledge your request for information within 7 days?	●		An email was sent to the researcher
10. Was the information received clear and understandable?	●		Additional information was provided

Total Score: 18/20

8. National Identification Authority (NIDA)

CATEGORY 1: WEBSITE
www.nida.go.tz

This website has both English and Swahili versions, although the English version is currently under maintenance. It is current and contains a lot of useful information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			A news article from 18 June 2014 was posted about a recent NIDA event
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			A detailed organisational structure
b) A list of laws, Acts etc. issued within the scope of its powers?			●	
c) Reports, policies, programs?	●			
d) Budget and expenditure?			●	

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

Total Score: 16/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to NIDA:

1. Since the national ID exercise began, how many people/Tanzanians have been issued with IDs?
2. What processes are involved in the production of the IDs (time, money and security)?
3. Is NIDA working with other agencies such as the RITA to make sure that when children are born they are registered into the database at the hospital, for instance, without wasting other resources such as time and money?
4. What is the annual budget and where is the money coming from?
5. What are the challenges involved in the production of IDs and how are they addressed?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		The registry unit receives requests and directs them to the Director General
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	Not even when the researcher called both the mobile number and the landline number
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

RESEARCH CONCLUSION

The culture of secrecy among public officials still persists despite efforts by local and international stakeholders to ensure it is done away with. It is amazing how one can offer information on one platform and completely deny it on another. From the research findings, you will see that there is plenty of information provided on websites but when it comes to written requests or physical visits, the scenario is totally different. A lot still needs to be done in terms of creating awareness of the importance of opening up public institutions to the general public.

For the past five years, during the time this study has been conducted, there have been changes in the way public offices operate. There hasn't been consistency in the winners or losers. This means that there have been both positive and negative developments. For example, the study revisited the most open and most secretive institutions of last year's study to see if there have been any changes after one year. The study found that there have been serious improvements in website developments, but they have fared badly in other areas.

Generally, the findings for the past five years have been an agent of change in public offices in terms of how they behave towards information that is deemed 'public'. It is our sincere hope that these findings will continue to inspire positive changes towards greater accountability and transparency.

THE MOST SECRETIVE PUBLIC INSTITUTION IN TANZANIA

The two lowest scoring institutions were the Judiciary of Tanzania with 14 points, and the Ministry of Health, who scored 17 points.

Interestingly, both have their website up-to-date and one can access information easily, but they did very poorly in responding to written requests, and at the Ministry for Health and Social Welfare, for instance, the registry unit staff were unfriendly to clients.

According to the findings and the total score obtained, the recipient of this year's Golden Padlock Award for the Most Secretive Public Institution is the **Judiciary of Tanzania.**

THE MOST OPEN PUBLIC INSTITUTION IN TANZANIA

In this category the research was interested in transparency, responsiveness, client services, and openness of institutions to the general public. Of all of the eight participants, the National Bureau of Statistics scored a total of 33 points out of 40, outscoring the 2013 winner the Ministry of Energy and Minerals by 11 points. The latter performed well in the website evaluation but performed poorly in the written request category, failing to respond to the researcher's requests.

We are proud to announce that the 2014 recipient of the Golden Key Award for the Most Open Public Institution in Tanzania is the **National Bureau of Statistics.**

RECOMMENDATIONS

From this study, MISA recommends short training or capacity building sessions for public officers, especially at the reception and registry units. These need to be helpful to clients visiting their public offices; it was observed that some staff were rude and unfriendly when asked for information.

It is time that each public institution has a client service charter to ensure the public is served with respect and their requests addressed, regardless of other factors. Public officials also need to understand the content of the charter and be accountable, and the public made aware of their rights and responsibilities when seeking information from public offices.

As our country is working to attract more investors, it is high time that public officials uphold professionalism and are ready to 'listen' to clients visiting their offices.

ZAMBIA

2014 REPORT ON THE MOST OPEN AND SECRETIVE
GOVERNMENT INSTITUTIONS IN ZAMBIA

INTRODUCTION

Over the past number of years, media bodies such the Media Institute of Southern Africa (MISA) Zambia, the Zambia Union of Journalists (ZUJ), the Press Association of Zambia (PAZA), the Zambia Media Women Association (ZAMWA) and the Press Freedom Committee (PFC) of the Post Newspapers have campaigned tirelessly to mobilise support for the enactment of a law that will guarantee Zambians greater opportunities to access information.

Under the previous regime, several appointed Ministers of Information and Broadcasting Services (MIBS) each promised to enact an access to information law. The Patriotic Front (PF) government campaigned strenuously on the premise that as soon as they came in to power the first thing they would do was enact an access to information (ATI) law, and even formed a task force, of which MISA was a part of, that would assist with both the drafting and enactment of such a law.

The PF government has since changed its rhetoric and despite various promises to bring an ATI Bill to Parliament, has introduced delaying tactics on each occasion, which indicate no real willingness to do so.

However, despite the unwavering campaign for the enactment of a law, which has stressed the importance of citizen's access to information. The growing perception, especially by government and some sceptics within the public, is that the Bill, by and large, aims to benefit the media more than everybody else, as journalists would have considerably easier access to information than the general public, especially to information held by public officials. This notion has been challenged by both media bodies and other advocates who support the Bill, who maintain that the purpose of an ATI law is to empower the Zambian people and ensure a more participatory and democratic society, where the public can interact with government and influence public policies that affect their daily lives.

RATIONALE AND RESEARCH PARAMETERS

The researcher submitted written requests for information, as well as evaluated the websites of the selected institutions. Thereafter, the researcher made physical follow-ups as well as telephone calls to the institutions. This method sought to establish the transparency and efficiency of government and public institutions in providing information to the public.

The research was undertaken between the 9th of June and the 11th July 2014. MISA Zambia selected government departments and public institutions which play a vital role in Zambia's economy and development, and the welfare of the Zambian citizenry. The institutions include:

1. Citizens Economic Empowerment Commission (CEEC)
2. Patents and Companies Registration Agency (PACRA)
3. The Zambia Revenue Authority (ZRA)
4. The Zambia Public Procurement Authority (ZPPA)
5. The Ministry of Health (MoH)
6. The Ministry of Agriculture and Livestock Services (MALS)
7. The Lusaka City Council (LCC)
8. The Electoral Commission of Zambia (ECZ)

AIM OF THE STUDY

The aim of the study was to assess the level of transparency and openness in government and public institutions in the country. From this survey it becomes evident that Zambia is in critical need of a freedom of information law.

OBJECTIVES OF THE STUDY

Some of the objectives of the research were to:
• Assess the level of openness and transparency in government and public institutions against international standards and principles of access to information.
• Encourage citizens to exercise their fundamental right to access information generated and held under the control of government.

Influence the adoption of practices, laws and culture that promotes transparency and openness in government and public institutions

RESEARCH METHODOLOGY

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

DATA ANALYSIS

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

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

Description of Assessment Criteria

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

Category 1: Website Analysis
Group 1: (0 – 6) Absence of a website or an extremely poor website containing no or almost no relevant public information.
Group 2: (7 – 13) Average website containing some relevant public information.
Group 3: (14 – 20) Well organised, transparent website providing a good amount of relevant public information.

Category 2: Written Request/Oral Request
Group 1: (0 – 6) Denied access to reasonable information request or acted with high levels of secrecy.
Group 2: (7 – 13) Displayed an average level of openness in allowing access to public information.
Group 3: (14 – 20) Displayed openness in allowing access to public information. Institution was helpful and transparent.

Challenges and limitations of the research
Most organisations asked for the researcher's occupation or which organisation they were coming from. The researcher's assessment was that government and public institutions respond quicker to organisations rather than to an individual.

SUMMARY OF KEY FINDINGS

Category 1: Website Analysis
All eight institutions selected for this research have websites, some good and some with very little information, as you will see from the tables below. It is encouraging, however, to see that most government and public institutions have an online presence as a tool for disseminating information to the public.

Of these, the Electoral Commission of Zambia (ECZ) has quite a dynamic and informative website with very recent information. It also has an online social media presence, which is appealing to young people.

All other public institution websites are adequate, despite the fact that they are not being frequently updated. The Lusaka City Council (LCC), although they have an online presence, still have some pages under construction. However, LCC are one of two public institutions that have a designated contact person for the information required.

None of the eight public institutions outline or disclose their budgets on their websites. The provision of reports, programs, and signed contracts on websites varies between institutions.
Although all of the institutions did provide contact details and addresses only two institutions, the LCC and the CEEC, have contact details for designated public officers.

Category 2: Request for Written and Oral Information
Of the eight institutions written to, the Lusaka City Council (LCC) and the Citizens Economic Empowerment Commission (CEEC) responded verbally on the tenth day. The LCC's Public Relations Officer, Mulunda Habeenzu, provided the answers to a written request for information and advised that he could not answer the question regarding waste management, and directed the researcher to the responsible unit. The researcher subsequently visited the waste management system and was also provided with answers by a courteous Ms Idah Shaputu, who added that if the researcher needed any more information on waste management, they should not hesitate to call back. The researcher was given all the necessary information regarding garbage collection in accordance with the request for information, and was provided with contact details for the person responsible for garbage collection in area requested.

Although the CEEC could not trace the letter of request sent to them on 9 June 2014, the answers to the request were provided telephonically by Mr D. Kambilo.

The other six institutions did not respond to the request, suggesting that most public institutions are secretive and are not responding to individual citizens' requests unless they can demonstrate that they are asking on behalf of an organisation.

In a democracy like Zambia, access by the general public to information held by public institutions and government is crucial, as this holds government accountable for how they are spending taxpayers' money.

The Electoral Commission of Zambia acknowledged the researcher's request in less than seven days via email, but still did not provide the requested information. The Zambia Revenue Authority asked for an electronic copy of the request for information, which was duly sent, but this was neither responded to nor acknowledged.

The general response to requests illustrates why an ATI Bill must be enacted, as this would make it easier for citizens to verify information about their public facilities.
Best practice and standards must be exhibited by these institutions and public institutions must be required to respond to all requests, whether the request came from an individual or an organisation, within a reasonable time.

DETAILED FINDINGS

1. Lusaka City Coucil (LCC)

CATEGORY 1: WEBSITE
http://www.lcc.gov.zm/

The Lusaka City Council website has very little information. It only has a welcome message from the Mayor. Most pages still show that they are under construction.

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

Total Score: 12/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Lusaka City Council:
1. Is there an indication as to when our compounds will have flushable toilets and clean running water?
2. Is there information as to where we are supposed to go regarding information on garbage collection?
3. How often does the Council collect garbage in John Laing and on which days specifically?
4. How much are we, the residents, expected to pay to the Council if we want our garbage collected?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		**The Public Relations Office**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	•		
3. Did the Institution respond to a request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	**The PRO referred the researcher to the WMU dept and they provided the info the researcher was looking for**
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	**Information was provided by phone**
7. Did the institution disclose information about its operations, budgets, structure etc.		•	

n = 20	Yes	No	Additional Information
8. Did the authority provide information without questioning the aims and motivations of the applicant?	●		**Asked if the information was for research purposes**
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 14/20

2. Electoral Commission of Zambia (ECZ)

CATEGORY 1: WEBSITE
http://www.elections.org.zm/

A very good website, dynamic and frequently updated with a lot of information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			
b) A list of laws, Acts etc. issued within the scope of its powers?	●			
c) Reports, policies, programs?	●			
d) Budget and expenditure?		●		
e) Information about procurement procedures, signed contracts?			●	**There's a section for tenders and procurement but nothing published currently**
f) Vacancy and employment procedures?	●			**There's a section for vacancies, but no jobs were advertised**
g) The name and address, telephone number, and the working hours of the respective institution?	●			**Contacts are provided but not working hours**
h) The contact details of public officials?		●		
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			

Total Score: 15/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Electoral Commission of Zambia:
1. I would like to know how much the ECZ has spent on all the 17 by-elections since 2011?
2. How much does one by-election cost?
3. What preparations go into one by-election?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	**The Public Relations Department**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		
3. Did the Institution respond to a request for information?		●	

n = 20	Yes	No	Additional Information
4. Does the authority publish their procedures for dealing with information requests?		●	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	The PRO referred the researcher to the WMU dept and they provided the info the researcher was looking for
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	Information was provided by phone
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	●		Asked if the information was for research purposes
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 10/20

3. Ministry of Agriculture and Livestock (MALS)

CATEGORY 1: WEBSITE

http://www.agriculture.gov.zm/

The Ministry of Agriculture and Livestock website is very attractive. It is not frequently updated but contains a lot of information.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	●			
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			The site provides the powers, but does not have an organisational structure nor the responsibilities of the administration
b) A list of laws, Acts etc. issued within the scope of its powers?		●		
c) Reports, policies, programs?			●	Some reports provide information on policies
d) Budget and expenditure?		●		
e) Information about procurement procedures, signed contracts?		●		
f) Vacancy and employment procedures?		●		
g) The name and address, telephone number, and the working hours of the respective institution?			●	The physical address is provided but no postal address
h) The contact details of public officials?		●		
i) A mechanism to request and receive a response to electronic messages and requests for information?		●		

Total Score: 6/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Ministry of Agriculture and Livestock:

1. The Zambian Government, though the Minister of Agriculture, recently announced the good news that it has recorded a bumper harvest for the 2013/2014 season.
2. What strategies has government put in place to make sure that no harvests of the bumper go to waste, as has been the case in the past?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?	●		**They responded saying it was sent to another department and would subsequently be attended to**
4. Does the authority publish their procedures for dealing with information requests?	●		
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?		●	

Total Score: 6/20

4. The Zambia Revenue Authority (ZRA)

CATEGORY 1: WEBSITE
https://www.zra.org.zm/

The Zambia Revenue Authority website is not frequently updated and is not user friendly, but has useful information.

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

n = 20	Yes	No	Partial	Additional Information
g) The name and address, telephone number, and the working hours of the respective institution?	●			**Does not stipulate working hours**
h) The contact details of public officials?		●		
i) A mechanism to request and receive a response to electronic messages and requests for information?	●			

Total Score: 14/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Zambia Revenue Authority:

1. How much revenue do private mining companies contribute to the Zambian coffers in terms of tax per year?
2. Approximately how much revenue does ZRA collect in the form of duty tax per month or annually?
3. There are hundreds of vehicles being bought in the country every day, how much revenue does the ZRA make from this?
4. What other services does the ZRA provide and how can people access information about the Authority?
5. What are some of the penalties that one can encounter should they fail to pay tax?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	
4. Does the authority publish their procedures for dealing with information requests?		●	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?		●	

Total Score: 2/20

5. Ministry of Health (MoH)

CATEGORY 1: WEBSITE
http://www.moh.gov.zm/

The MoH website is very basic, but has improved from last year. However, it can still do better.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			•	**The only recent information is the commemoration of World Tobacco Day in 2014**
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?		•		
b) A list of laws, Acts etc. issued within the scope of its powers?		•		
c) Reports, policies, programs?			•	
d) Budget and expenditure?			•	
e) Information about procurement procedures, signed contracts?			•	
f) Vacancy and employment procedures?		•		
g) The name and address, telephone number, and the working hours of the respective institution?			•	
h) The contact details of public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 7/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following requests for information were sent to the Ministry of Health:

1. Has the Ministry ever embarked on any awareness raising on non-discrimination for patients with mental health? If so when and what were the outcomes and results?
2. People with epilepsy are shunned in most cases. How much awareness has been created around this?
3. What percentage of the main budget is allocated to the Ministry of Health?
4. I'm aware that the Ministry has been involved in a campaign on male circumcision, what is the target and what are the current figures standing at? How many males have been reached so far?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	**There is a person designated to receive mails, but not necessarily to deal with information requests**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		**They acknowledged the request but referred the researcher to its sister Ministry, the Ministry of Community Development and Mother and Child Health**
10. Was the information received clear and understandable?		•	

Total Score: 2/20

6. Patents and Companies Registration Agency (PACRA)

CATEGORY 1: WEBSITE
http://www.pacra.org.zm/

The PACRA website is a good website with a lot of information. It is also frequently updated and user friendly.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?	•			The site does have up to date information, although the registration fees are in the old currency, which then becomes a bit misleading to the public
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?			•	Has functions but not responsibilities and no organisational structure
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programs?	•			
d) Budget and expenditure?		•		There is no provision for the budget and how much is allocated to the Authority
e) Information about procurement procedures, signed contracts?	•			Information on signed contracts is not available
f) Vacancy and employment procedures?		•		There is a jobs/vacancies section but nothing listed
g) The name and address, telephone number, and the working hours of the respective institution?	•			
h) The contact details of public officials?		•		
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 13/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Patents and Companies Registration Agency:

1. How many companies has the Agency registered in the first and second quarter?
2. What type of companies does PACRA register?
3. How easy is it to register a company with PACRA?
4. Lastly, how many companies are currently registered with PACRA?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		The Public Relations Office
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	

n = 20	Yes	No	Additional Information
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 4/20

7. Zambia Public Procurement Authority (ZPPA)

CATEGORY 1: WEBSITE
http://www.zppa.org.zm/

The ZPPA website is very plain and basic and is not frequently updated. It needs improvement and more pictures to make it more attractive to the reader.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?		•		
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	•			
b) A list of laws, Acts etc. issued within the scope of its powers?	•			
c) Reports, policies, programs?		•		
d) Budget and expenditure?		•		There is no provision for a budget and how much is allocated to the Authority
e) Information about procurement procedures, signed contracts?	•			Information on signed contracts has been provided
f) Vacancy and employment procedures?		•		
g) The name and address, telephone number, and the working hours of the respective institution?	•			Working hours are not provided
h) The contact details of public officials?	•			For the Director General
i) A mechanism to request and receive a response to electronic messages and requests for information?	•			

Total Score: 12/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following question was sent to the Zambia Public Procurement Authority:

1. I write to request information on how I can go about bidding for government tenders.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	**But did acknowledge receiving the letter**
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 4/20

8. Citizens Economic Empowerment Program (CEEC)

CATEGORY 1: WEBSITE
http://www.ceec.org.zm/

The CEEC website has dynamic pictures that make it attractive to the eye. It also has adequate information for the reader.

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

Total Score: 15/20

CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Citizens Economic Empowerment Commission:

1. What are the requirements to obtain a loan from CEEC?
2. What is the maximum amount of money an individual is entitled to?
3. Is there a deadline in the year for applications to be done?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	•		
3. Did the Institution respond to a request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)	•		
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 10/20

RESEARCH CONCLUSION

This year's study shows that public institutions and government departments are still not open and do not freely give information to Zambians.

Although all of the institutions evaluated have a public relations or communications department responsible for public affairs and engagement with the general public, none of the eight institutions responded initially to the written requests for information, and only two of the eight institutions responded to the follow up oral requests.

With the exception of the LCC, all the government departments and public institutions had either misplaced the requests or lost them altogether. When the researcher followed up, she was either asked to bring another copy or send an electronic copy of the request for information. Although the ECZ acknowledged receiving their request in less than seven days, they still gave no answers to the questions. Other Institutions claimed they passed the letter on to another department, but it was clear this was a mere strategy to deny access.

Even though there are Information and Communications Officers in public institutions, it seems that this role is used to portray a positive image of the institutions and not to provide proactive tools of engagement with the general Zambian Citizenry. Most information officers do not act as a conduit of relevant information to the general public and other stakeholders.

THE MOST SECRETIVE PUBLIC INSTITUTION IN ZAMBIA

Of the eight public institutions, six did not respond to the written requests for information. Despite having very well updated websites, the ECZ, PACRA, and MALS acknowledged receiving the request, but failed to provide answers.

The least deserving is the Zambia Revenue Authority (ZRA), as they misplaced the letter, asked for an electronic copy and subsequently did not respond to it. After making follow-up calls to the Public Relations Officer (PRO), Mr Kufekisa said he sent the letter to another department so that the information could be simplified as it was too technical for the researcher to decipher. The next time the researcher called to make a follow up, the PRO said he was away for work on the Copper-belt attending a trade fair but someone was dealing with the request

However, with a very basic website and failure to respond to the written request for information, the **Ministry of Health** is the recipient of this year's Golden Padlock award for the most secretive public institution in Zambia.

THE MOST OPEN PUBLIC INSTITUTION IN ZAMBIA

Looking at last year's report, The Lusaka City Council is the most improved organisation, as they have upgraded their website, even though some pages are still under construction. They are also one of the two institutions that telephonically answered questions, and where the Public Relations Office could not respond to questions, the researcher was redirected to another department, which also provided the answers within the stipulated time.

Even though the Citizens Empowerment Commission (CEEC) misplaced the letter requesting information, they deserve a special mention, as they provided the requested answers over the telephone.

The **Lusaka City Council** is the recipient of this year's Golden Key award for the most open public institution in Zambia

RECOMMENDATIONS

It is highly recommended that the government stick to their campaign promise and enact an ATI law. Also, government needs to work with the employees of public institutions to educate them with respect to their roles as public officers, therefore information must be accorded to the people of Zambia.

Enacting an ATI law will help the citizenry in accessing information from public offices without suspicion or being asked questions. It was clear from the research that most government departments or public institutions do not respond to individuals, as this researcher experienced.

ZIMBABWE

2014 REPORT ON THE MOST OPEN AND SECRETIVE
GOVERNMENT INSTITUTIONS IN ZIMBABWE

INTRODUCTION

This research comes more than a year after Zimbabwe enacted a new Constitution, but the government is dragging its feet in aligning legislation with the new Constitution. Despite the enactment of a progressive Constitution that guarantees freedom of expression and access to information, Zimbabweans are yet to fully enjoy these rights as government delays either repealing or reforming old laws that are inconsistent with the spirit of the new Constitution.

Sections 61 and 62 of the new Constitution are more comprehensive compared to the former Lancaster House Constitution. Under the Constitution the following rights are explicitly guaranteed:

61 Freedom of expression and freedom of the media

(1) *Every person has the right to freedom of expression, which includes—*
   (a) *freedom to seek, receive and communicate ideas and other information;*
   (b) *freedom of artistic expression and scientific research and creativity; and*
   (c) *academic freedom.*
(2) *Every person is entitled to freedom of the media, which freedom includes protection of the confidentiality of journalists' sources of information.*
(3) *Broadcasting and other electronic media of communication have freedom of establishment, subject only to State licensing procedures that—*
   (a) *are necessary to regulate the airwaves and other forms of signal distribution; and*
   (b) *are independent of control by government or by political or commercial interests.*
(4) *All State-owned media of communication must—*
   (a) *be free to determine independently the editorial content of their broadcasts or other communications;*
   (b) *be impartial; and*
   (c) *afford fair opportunity for the presentation of divergent views and dissenting opinions.*
(5) *Freedom of expression and freedom of the media do not include—*
   (a) *incitement to violence;*
   (b) *advocacy of hatred or hate speech;*
   (c) *malicious injury to a person's reputation or dignity; or*
   (d) *malicious or unwarranted breach of a person's right to privacy.*

62 Access to information

(1) *Every Zimbabwean citizen or permanent resident, including the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level, in so far as the information is required in the interests of public accountability.*
(2) *Every person, including the Zimbabwean media, has the right of access to any information held by any person, including the State, in so far as the information is required for the exercise or protection of a right.*

(3) *Every person has a right to the correction of information, or the deletion of untrue, erroneous or misleading information, which is held by the State or any institution or agency of the government at any level, and which relates to that person.*
(4) *Legislation must be enacted to give effect to this right, but may restrict access to information in the interests of defence, public security or professional confidentiality, to the extent that the restriction is fair, reasonable, necessary and justifiable in a democratic society based on openness, justice, human dignity, equality and freedom.*

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

In addition, the preamble of the *Access to Information and Protection of Privacy Act 2002* (AIPPA) states that it will provide members of the public the right to access records and information held by public bodies. It further pledges to make public bodies accountable by allowing the public the right to request the correction of misrepresented personal information.

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

In the event the applicant feels aggrieved by the decision not to grant information, he/she may ask the Commissioner to review the public body's decision. In essence, this constitutes a mere review process that does not guarantee access to information to the applicant. In fact, it actually makes the process of accessing information more cumbersome and complex. The process is unnecessarily bureaucratised, as it may take more than 60 days before a final decision is made on whether an applicant can have access to a record or requested information. This is one of those typical scenarios in which AIPPA begins to act as an impediment to access to information rather than foster the spirit of openness and transparency within public bodies. The process contradicts the law's intended principle of encouraging openness and accountability in the work of public institutions.

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

However it has not been all doom and gloom, as there have been positive jurisprudential developments, especially with the Constitutional Court recently ruling that criminal defamation is unconstitutional. Two cases have confirmed that sections of criminal defamation law were unconstitutional and should accordingly be struck down. In the case of M*adanhire and Matshazi v Attorney-General* the Constitutional Court (quoting from a South African case, *Hoho v The State* [2008] ZASCA 98) reaffirmed that:

"The importance of the right to freedom of expression has often been stressed by our courts. Suppression of available information and of ideas can only be detrimental to the decision-making process of individuals, corporations and governments. It may lead to the wrong government being elected, the wrong policies being adopted, the wrong people being appointed, corruption, dishonesty and incompetence not being exposed, wrong investments being made and a multitude of other undesirable consequences. It is for this reason that it has been said that 'freedom of expression constitutes one of the essential foundations of a democratic society and is one of the basic conditions for its progress and the development of man'."

Similar sentiments were also echoed in the preceding 2013 case of *Kahiya and Chimakure v Attorney-General.*

The Ministry of Information also set up an Information and Media Panel of Inquiry whose mandate is to gather the views of citizens on how to reform the media sector. The recommendations will be used to reform media legislation and make other reforms that promote freedom of expression and access to information.

It was evident from this study that many officials in public institutions failed to demonstrate that they understand that public information is not the property of government, but rather is held by government on behalf of its citizens.

Written or oral requests for information were treated with suspicion by civil servants. More than half of the civil servants who received letters or oral requests for information as part of this study expressed surprise that ordinary citizens could make information requests. A significant number of them asked why the information was needed and made remarks about their institutions not providing information to individuals. They would only provide information to institutions or to the media.

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

Although many institutions have websites, many of the websites are not taken seriously, lacking useful information, as well as information that is not updated. Some websites have details for officials who served under the previous cabinet.

RATIONALE AND RESEARCH PARAMETERS

Governments and public institutions are responsible for facilitating the right to access to information, and there are two key aspects to this responsibility: enabling citizens to access information upon request; and proactively disseminating important information. In June 2014, the Media Institute of Southern Africa – Zimbabwe Chapter (MISA Zimbabwe) assessed the level of accessibility of information held by government and public institutions in Zimbabwe. The public institutions assessed were randomly selected with particular attention paid to the relevance and nature of information these institutions hold.

The public institutions surveyed were the following:
1. The Zimbabwe Football Association (ZIFA)
2. The Zimbabwe United Passenger Company (ZUPCO)
3. The Ministry of Primary and Secondary Education
4. The Ministry of Transport and Infrastructure Development
5. The Ministry of Local Government, Urban and Rural Planning
6. The Zimbabwe National Roads Administration (ZINARA)
7. The Zimbabwe National Water Authority (ZINWA)
8. The Central Mechanical Equipment Department (CMED)
9. The Ministry of Psychomotor
10. Ministry of Higher and Tertiary Education, Science and Technology

AIM OF THE STUDY

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

OBJECTIVES OF THE STUDY

- To assess the level of transparency in government and public institutions against international standards and principles of access to information.
- To provide evidence-based research for use in advocating for the reform of laws that restrict access to information.
- To inform advocacy and interventions by MISA Zimbabwe and civil society across the country.
- To encourage citizens to exercise their fundamental right to access information generated by the government, in order to enjoy their socio-economic rights.

RESEARCH METHODOLOGY

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

DATA ANALYSIS

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

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

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

Category 1: Website Analysis
Group 1: (0 – 6) Absence of a website or an extremely poor website containing no or almost no relevant public information.
Group 2: (7 – 13) Average website containing some relevant public information.
Group 3: (14 – 20) Well organised, transparent website providing a good amount of relevant public information.

Category 2: Written Request/Oral Request
Group 1: (0 – 6) Denied access to reasonable information request or acted with high levels of secrecy.
Group 2: (7 – 13) Displayed an average level of openness in allowing access to public information.
Group 3: (14 – 20) Displayed openness in allowing access to public information. Institution was helpful and transparent.

Limitations of the Study
- Given the limited timeframe that was allowed for the survey, it was not feasible to test the openness of more government and public institutions.
- The study primarily relies on qualitative data, which is subject to personal interpretation.
- In making the written requests, while the researcher did not directly identify themselves as being associated with MISA Zimbabwe, they did make the request in the name of a MISA Zimbabwe employee, and some of the contact details were those of MISA Zimbabwe.

SUMMARY OF KEY FINDINGS

Category 1: Website Analysis
Of the 10 institutions surveyed, eight had websites, although the effectiveness with respect to content management differed between the institutions. The Ministry of Psychomotor had no website, while ZUPCO only has a domain registered and a default page. This does not constitute a functioning website.

Most of the surveyed websites scored poorly. Although some of the websites were organised well, they were not regularly updated and lacked useful information. The ZINARA, ZINWA, Ministry of Transport and Ministry of Higher and Tertiary Education, Science and Technology had more useful content, although they still fell short of acceptable standards. These websites had information such as contact details and legislation that governs their operations.

Of the three institutions that have websites with a feedback mechanism, none of them responded to electronic requests for information.

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

Only the Ministry of Transport and Infrastructure Development website had a budget, albeit from 2012. None of the other websites contained any information pertaining to budgets or their operations. The failure to maintain informative websites could be attributed to capacity issues, but one is inclined to conclude that there is no commitment from these institutions to proactively inform the public about their operations. A culture of secrecy is evident in these institutions.

Category 2: Request for Written and Oral Information
Written Requests: Access Denied
Out of the 10 institutions surveyed, seven of them denied written requests for information. Three institutions displayed an average level of openness in allowing public access to information. Only four of the institutions acknowledged receipt of our requests, but all of these went on to ask that we direct our requests to other offices. The other institutions did not acknowledge receipt of our letters and did not respond to the requests. The Ministry of Primary and Secondary Education, Ministry of Higher and Tertiary Education, Science and Technology, Ministry of Local Government, Urban and Rural Planning, and the Ministry of Psychomotor acknowledged receipt of the requests and attempted to help to varying degrees.

An official from the Ministry of Psychomotor invited the researcher to their office and explained that the Ministry was new and did not have any organised information yet. He did, however, attempt to answer questions orally and invited the researcher to come to their offices if they needed further information pertaining to the ministry.

Oral requests

Two institutions displayed openness in allowing access to public information. The institutions were helpful and transparent. Four institutions displayed an average level of openness. The remaining institutions denied access to information and showed a high level of secrecy.

The Ministry of Transport and Infrastructure Development responded well to an oral request for information. The Ministry of Psychomotor also responded well to oral requests for information. Despite ZIFA listing the mobile phone number of their media officer, the phone went unanswered following several calls made to the office.

While the majority of the institutions evaluated had officials that were inquisitive and suspicious of the motives of the researcher, a few others proved that they are lacking in capacity and have no appreciation of the need to inform the public about their operations.

The reluctance to identify themselves and the tendency to refer even trivial requests for information to a higher administrative office displayed a culture of fear within public institutions that prevented public officials from readily providing information. Even those who are designated as public relations officers tended to refer questions to a higher authority for clearance. It shows that these institutions are secretive and not forthcoming with information, making it very difficult for citizens to exercise their rights to access information held by public bodies.

DETAILED FINDINGS

1. Ministry of Psychomotor

CATEGORY 1: WEBSITE

The Ministry of Psychomotor has no website yet. The Principal Director of the Ministry, Mr Kurebwa, said they are in the process of developing one.

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

Total Score: 0/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

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

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	**Mr Kurebwa atteneded to us. There is no public relations department**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		**They called and invited us in for discussions**
3. Did the Institution respond to a request for information?	●		
4. Does the authority publish their procedures for dealing with information requests?		●	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	**Most of the information requested was provided orally by a senior official in the ministry**
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	**This information is not yet available**

n = 20	Yes	No	Additional Information
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	**The official questioned why an ordinary citizen wanted to know the information**
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 8/20

Part 2: Request for oral information

Questions as per written request. The following additional question was asked of the Ministry of Psychomotor:
1) Has the ministry conducted a skills audit to ascertain what practical subjects should be invested in? If so, what investments have they made so far in equipment for areas such as carpentry, metal work and agriculture?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		
3. Did the institution respond to your oral request for information?	●		
4. Did the person dealing with your request have a friendly and helpful attitude?	●		
5. Did officials provide reasonable advice and assistance when seeking information?	●		
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		●	**Ministry is new and they do not have some of the information yet**
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
8. Did the institution disclose information about its operations, budgets, structure etc.	●		**Partially**
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 16/20

2. Zimbabwe Football Association

CATEGORY 1: WEBSITE
http://www.pacra.org.zm/

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

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

n = 20	Yes	No	Partial	Additional Information
c) Reports, policies, programs?			•	The 'ZIFA village', meant to promote youth football development, is outlined
d) Budget and expenditure?		•		
e) Information about procurement procedures, signed contracts?		•		
f) Vacancy and employment procedures?		•		
g) The name and address, telephone number, and the working hours of the respective institution?	•			
h) The contact details of public officials?	•			
i) A mechanism to request and receive a response to electronic messages and requests for information?			•	

Total Score: 11/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the Zimbabwe Football Association:
1) How does the institution ensure that the public gets information on the administration of football in the country?
2) What procedure has ZIFA taken to make sure that Zimbabwean football survives amidst the harsh economic situation?
3) What measures, if any, have been taken by ZIFA to ensure the country qualifies for the next World Cup and Afcon tournaments?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		**Public Relations Officer**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

Part 2: Request for oral information

Questions as per written request. The following additional question was asked of the Zimbabwe Football Association:
1) What is ZIFA doing in the country to develop youth football?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the institution respond to your oral request for information?		●	
4. Did the person dealing with your request have a friendly and helpful attitude?		●	
5. Did officials provide reasonable advice and assistance when seeking information?		●	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		●	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
8. Did the institution disclose information about its operations, budgets, structure etc.		●	
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 2/20

3. Ministry of Transport and Infrastructural Development

CATEGORY 1: WEBSITE
http://www.transcom.gov.zw/

The website is fairly easy to navigate. It contains budgets and Acts that govern the operations of the Ministry. There is a list of officials who work within the Ministry. The website is not regularly updated.

n = 20	Yes	No	Partial	Additional Information
1. Does this website contain up to date information?			●	**Not all pages are updated**
2. Does the website contain the following:				
a) A description of its powers, as well as data on the organisational structure, the functions, and the responsibilities of the administration?	●			
b) A list of laws, Acts etc. issued within the scope of its powers?	●			
c) Reports, policies, programs?			●	**Not updated**
d) Budget and expenditure?			●	**Not updated**
e) Information about procurement procedures, signed contracts?		●		
f) Vacancy and employment procedures?		●		
g) The name and address, telephone number, and the working hours of the respective institution?	●			**Name, address and telephone number are available**
h) The contact details of public officials?		●		**Page still under construction**
i) A mechanism to request and receive a response to electronic messages and requests for information?		●		**Page still under construction**

Total Score: 9/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the Ministry of Transport and Infrastructural Development:
1) What has necessitated the hike in tollgate fees as reported in the media?
2) What does the ministry plan to do in order to curb road accidents that have increased in the country?
3) When will the ministry effect the decision on the ban of kombis as public transport?
4) Why has there been little progress in the rehabilitation of our road network?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	The website lists direct contact details of all departments that fall under its ambit. There is no designated Public Relations Department
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	
4. Does the authority publish their procedures for dealing with information requests?		●	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 0/20

Part 2: Request for oral information

Questions as per written requests. The following additional question was asked of the Ministry of Transport and Infrastructural Development:
1) How many accidents occurred on Zimbabwean highways in 2013?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	No designated Public Relations department, but contact details of specific department heads provided
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		
3. Did the institution respond to your oral request for information?	●		
4. Did the person dealing with your request have a friendly and helpful attitude?	●		
5. Did officials provide reasonable advice and assistance when seeking information?	●		
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)	●		
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	

n = 20	Yes	No	Additional Information
8. Did the institution disclose information about its operations, budgets, structure etc.		●	
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 14/20

4. Zimbabwe National Water Authority

CATEGORY 1: WEBSITE

http://www.zinwa.co.zw/

The website is not very organised and shows signs of poor content management. It has a feedback mechanism that promptly acknowledges receipt of queries, although the organisation does not follow up on queries made. It is visually appealing but lacking in useful information such as budgets, policy documents and statutes that govern the organisation.

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

Total Score: 4/20

CATEGORY 2: REQUESTS FOR INFORMATION

Part 1: Request for written information

The following questions were sent to the Zimbabwe National Water Authority:

1) Explain how water is distributed among ratepayers?
2) What is being done to meet the shortages in water supples in residential areas?
3) How effective are the prepaid water meters if installed?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	●		**Public Relations Officer**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	

n = 20	Yes	No	Additional Information
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		**Public Relations Officer**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the institution respond to your oral request for information?		•	
4. Did the person dealing with your request have a friendly and helpful attitude?		•	
5. Did officials provide reasonable advice and assistance when seeking information?		•	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		•	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
8. Did the institution disclose information about its operations, budgets, structure etc.		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

5. Zimbabwe United Passengers Company (ZUPCO)

CATEGORY 1: WEBSITE
http://www.planet.nu/sunshinecity/zupco/

The website appears to still be under construction, and contains no useful information. The website is just a default page.

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

Total Score: 0/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to ZUPCO:
1) What is the present number of ZUPCO employees?
2) How many buses does ZUPCO have within its fleet?
3) What measures is ZUPCO taking to revamp its operations?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 0/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the institution respond to your oral request for information?		●	
4. Did the person dealing with your request have a friendly and helpful attitude?		●	
5. Did officials provide reasonable advice and assistance when seeking information?		●	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		●	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
8. Did the institution disclose information about its operations, budgets, structure etc.		●	
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 0/20

6. Ministry of Local Government, Rural and Urban Planning

CATEGORY 1: WEBSITE
http://www.zim.gov.zw/index.php/ministries/ministry-of-local-government

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

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

Total Score: 0/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the Ministry of Local Government, Rural and Urban Planning
1) How many people are on the waiting list for accommodation in Zimbabwe's Harare alone?
2) Do you think the ministry has the capacity to provide accommodation to the majority of the citizens?
3) What initiatives have you taken to ensure that you provide for adequate housing as the ministry?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	There is no designated Public Relations Department, however an official from research and development said he deals with information matters
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		●	
3. Did the Institution respond to a request for information?		●	
4. Does the authority publish their procedures for dealing with information requests?		●	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		●	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
7. Did the institution disclose information about its operations, budgets, structure etc.		●	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		●	
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?		●	

Total Score: 2/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		●	Public Relations Officer
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	●		
3. Did the institution respond to your oral request for information?		●	
4. Did the person dealing with your request have a friendly and helpful attitude?	●		
5. Did officials provide reasonable advice and assistance when seeking information?		●	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		●	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
8. Did the institution disclose information about its operations, budgets, structure etc.		●	
9. Did the institution acknowledge your request for information within 7 days?	●		
10. Was the information received clear and understandable?	●		

Total Score: 8/20

7. Zimbabwe National Roads Administration (ZINARA)

CATEGORY 1: WEBSITE
http://www.zinara.co.zw/

The ZINARA website is visually appealing and easy to navigate. Some pages are updated, while others are not regularly updated. In terms of content management, the website lacks useful information such as budgets and policy documents. It does however give a clear organisational structure for the management team. The website has contact details.

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

Total Score: 6/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to ZINARA:
1) Where does ZINARA get funds for its operations?
2) Where can we obtain the 2013 abridged audited statement for ZINARA?
3) What does the money that is sourced through toll gate fees go towards

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		**Public Relations department**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?	•		
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	

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

Total Score: 4/20

Part 2: Request for oral information

Questions as per written request. The following additional questions was asked of ZINARA:
1) What were the actual allocations disbursed to urban local authorities for road maintenance in 2013?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		There is a Public Relations officer, but the researcher was referred to an engineer in the organisation, Mr. Juma
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	•		
3. Did the institution respond to your oral request for information?		•	
4. Did the person dealing with your request have a friendly and helpful attitude?	•		
5. Did officials provide reasonable advice and assistance when seeking information?		•	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		•	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
8. Did the institution disclose information about its operations, budgets, structure etc.		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 10/20

8. Central Mechanical Equipment Department (CMED)

CATEGORY 1: WEBSITE
http://www.cmed.co.zw/

The website has clear content management problems. It does not show any useful information except for the department's vision and mission, and the services it offers the public. It is not regularly updated.

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

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

Total Score: 1/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the CMED:
1) How is revenue used in the operations of CMED?
2) How are vehicles for hire priced?
3) How does the company aim to improve its services for the target audience?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	
9. Did the institution acknowledge your request for information within 7 days?		•	
10. Was the information received clear and understandable?		•	

Total Score: 2/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	**There is no public relations department**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the institution respond to your oral request for information?		•	
4. Did the person dealing with your request have a friendly and helpful attitude?		•	
5. Did officials provide reasonable advice and assistance when seeking information?		•	

n = 20	Yes	No	Additional Information
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		●	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		●	
8. Did the institution disclose information about its operations, budgets, structure etc.		●	
9. Did the institution acknowledge your request for information within 7 days?		●	
10. Was the information received clear and understandable?		●	

Total Score: 0/20

9. Ministry of Primary and Secondary Education

CATEGORY 1: WEBSITE
http://www.mopse.gov.zw/

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

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

Total Score: 0/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the Ministry of Primary and Secondary Education:
1) What is the total amount of budget allocated to the Ministry by the Treasury?
2) How regularly do you update your website?
3) Does your Ministry have a public relations department which updates the public on various issues?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?	•		
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	
8. Did the authority provide information without questioning the aims and motivations of the applicant?	•		
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 8/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')		•	**There is no Public Relations Office, but an official referred us to Research and Development**
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the institution respond to your oral request for information?	•		
4. Did the person dealing with your request have a friendly and helpful attitude?	•		
5. Did officials provide reasonable advice and assistance when seeking information?		•	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		•	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
8. Did the institution disclose information about its operations, budgets, structure etc.		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 8/20

10. Ministry of Higher and Tertiary Education, Science and Technology

CATEGORY 1: WEBSITE
http://www.mhtestd.gov.zw/

Although the website is easy to navigate, it has clear content management issues. It is not regularly updated and does not contain useful information such as budgets and policy documents.

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

Total Score: 3/20

CATEGORY 2: REQUESTS FOR INFORMATION
Part 1: Request for written information

The following questions were sent to the Ministry of Higher and Tertiary Education, Science and Technology:
1) Where can we obtain the audited statement for the ministry?
2) How often do you update your website?
3) How many tertiary institutions do we have in the country?
4) What is the total enrolment of the local tertiary institutions?

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')		•	
3. Did the Institution respond to a request for information?		•	
4. Does the authority publish their procedures for dealing with information requests?		•	
5. Did the institution provide all of the information requested? (If partially please mark 'No', indicate in 'Additional Information' how much of the information requested was supplied)		•	
6. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
7. Did the institution disclose information about its operations, budgets, structure etc.		•	

n = 20	Yes	No	Additional Information
8. Did the authority provide information without questioning the aims and motivations of the applicant?		•	**No information was given, they kept referring us to a higher authority. However they never questioned our motives for requesting information.**
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?		•	

Total Score: 4/20

Part 2: Request for oral information

Questions as per written request.

n = 20	Yes	No	Additional Information
1. Is there an official designated to take and respond to information requests? (Please state title of officials in 'Additional Information')	•		
2. Did the institution reply within 21 days? (If less than 7 please state in 'Additional Information')	•		
3. Did the institution respond to your oral request for information?	•		
4. Did the person dealing with your request have a friendly and helpful attitude?	•		
5. Did officials provide reasonable advice and assistance when seeking information?		•	
6. Did the institution provide all of the information requested? (If partially please mark 'No', and indicate in 'Additional Information' how much of the information requested was supplied)		•	
7. Did the institution provide written reasons for the refusal of information? (If information was not refused, please contact institution to find out what the policy is in this regard – if they supply written reasons for refusal mark 'Yes')		•	
8. Did the institution disclose information about its operations, budgets, structure etc.		•	
9. Did the institution acknowledge your request for information within 7 days?	•		
10. Was the information received clear and understandable?	•		

Total Score: 12/20

RESEARCH CONCLUSION

From the survey, one is inclined to conclude that the majority of institutions remain rather closed and averse to placing information in the public domain. Despite many of the surveyed institutions having websites, the websites do not contain useful information and are not regularly updated.

A general disdain for information requests was evident amongst the participating institutions. There is suspicion toward citizen requests for information and what some of them term 'hostile media'. The failure to respond to written information requests by some institutions suggested a culture of secrecy in these institutions.

THE MOST SECRETIVE PUBLIC INSTITUTION IN ZIMBABWE

The surveyed institutions have a long way to go towards transparency and opening themselves up to public scrutiny. Most of them can easily be classified as secretive after almost all failed to respond to written requests for information.

ZUPCO, for the third year running, had no functional website, did not respond to written requests for information and at the times telephone calls were made (three times) to their offices, the phone went unanswered. It is clear from this that the institution does not take its interactions with members of the public seriously.

ZUPCO therefore is the most secretive institution.

ZINWA, CMED and ZIFA follow closely behind after they failed to respond to written requests for information, in addition to operating relatively uninformative websites.

THE MOST OPEN PUBLIC INSTITUTION IN ZIMBABWE

Secondary Education, Ministry of Higher and Tertiary Education, Science and Technology, Ministry of Local Government and the Ministry of Psychomotor acknowledged receipt of information requests and recommended further action. A senior official at the Ministry of Psychomotor made the effort to explain issues in person at their offices. The Ministry of Transport and Infrastructure Development responded well to an oral request for information and in addition has a website which shows a budget and legislation that governs its operations. It also shows a clear organisational structure.

Based on this, the **Ministry of Psychomotor** is the most open institution of those surveyed as they took time to attend to our information requests in a helpful and friendly manner.

The Ministry of Transport and Infrastructure Development follows closely behind in second after their helpful assistance.

RECOMMENDATIONS

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

Already the government has set up an information panel to make recommendations for the way forward. MISA and other institutions must take advantage of this panel to present their findings on the state of access to information in public institutions.

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

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