



# MISA TRANSPARENCY ASSESSMENT 2023

The Citizen's Analysis of Government  
Openness in Southern Africa



by the Media Institute of Southern Africa





# **MISA TRANSPARENCY ASSESSMENT**

The Citizens' Analysis of Government Openness in Southern Africa



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

African Charter on Human and Peoples Rights

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

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

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## REGIONAL OVERVIEW

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## FOREWORD

Access to Information (ATI) enables citizens to hold elected officials accountable for the decisions they make and the ways in which they spend public money. ATI also helps citizens make informed decisions about their lives, their health, and how they are governed.

Importantly, the right to access information enables a culture of transparency and accountability from public officials and is at the core of democratic participation by citizens.

The revised Declaration of Principles of Freedom of Expression and Access to Information by the African Commission on Human and Peoples' Rights (ACHPR) reaffirms the right to access to information as it states that freedom of expression (FOE) and ATI are cross-cutting rights that are important for the realisation of all other human rights, including socio-economic rights, and of the potential of both rights to contribute to the socio-economic transformation of the continent.

The importance of ATI is further emphasised by being an indicator measured in the African Media Barometer (AMB), an in-depth and comprehensive description system for national media environments on the African continent.

Over the past two decades, several press freedom and ATI campaigners have used the AMB to advocate and lobby for reforms and enactment of laws that promote enabling environments, a robust and free press, FOE, and ATI. Thus, as with the AMB and complementary to the AMB, the Media Institute of Southern Africa (MISA) seeks to use this Transparency Assessment to continue lobbying for reforms and enactment of laws that promote ATI and the right to know.

To underscore the importance of access to information, the Joint Declaration on Freedom of Expression and Elections in the Digital Age by the United Nations (UN), the Organisation for Security and Co-operation in Europe (OSCE) and the Organisation of American States (OAS) Special Rapporteurs on Freedom of Expression declared that “[i]mplicit in freedom of expression is the public’s right to open access to information and to know what governments are doing on their behalf, without which truth would languish and people’s participation in government would remain fragmented”.

With that in mind, Fesmedia Africa and MISA regularly carry out a Transparency Assessment, which measures Southern African countries’ commitments to local laws and regional and continental standards on ATI.

This report includes Botswana, Lesotho, Malawi, Mozambique, Tanzania, Zambia and Zimbabwe. The last Transparency Assessment was published in 2020, and since then, there has been a flurry of countries enacting ATI legislation in the region.

In 2020, Malawi operationalised ATI legislation, while Namibia and Zimbabwe have since enacted similar legislation. Zambia is moving towards adopting and passing similar legislation. This shows the centrality and importance of ATI legislation in democratic governance.

In Zimbabwe, in particular, previous Transparency Assessment Reports have been a helpful advocacy tool for lobbying towards crafting legislation that responds to challenges that citizens experience in accessing information. However, there are some holdouts, such as Botswana, where there is little movement in enacting such legislation.

Despite the increasing number of African countries with ATI laws, this report shows a need for more advocacy on creating an enabling environment for implementing ATI legislation.

In some cases, neither government officials nor citizens were aware of the dictates of ATI laws, which ultimately means that the public cannot fully enjoy their rights. One of the objectives of this report is to raise citizens’ awareness of their right to access information held by public bodies.

It is essential to note that this report is not meant to shame public bodies that perform poorly in the assessment but rather to identify gaps in ATI legislation and ultimately find ways to overcome them. By doing so, this report identifies opportunities for citizens, civil society organisations, academics and governments to work together on improving the legislative environment on ATI.

Looking at different countries in the region also helps to implement peer-to-peer learning from researchers, civil society and governments.

The Transparency Assessment is a crucial publication for Fesmedia Africa and MISA, as it fits within the strategic work that the organisations are already carrying out. One of MISA’s areas of operation is ATI legislation, while Fesmedia Africa has been a leader in supporting advocacy on the right to information.

We sincerely hope this report will add to the existing body of knowledge on ATI and open new ways of engagement among stakeholders to improve democratic governance in Southern Africa.

## BACKGROUND

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

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

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



The regional launch of the MISA Transparency Assessment



Hosting National Golden Key and Golden Padlock Awards Ceremonies

## DATA ANALYSIS

The research adopts both qualitative and quantitative data collection methods and seeks to evaluate the level of public ATI held by governments and public organisations.

In each country, a researcher evaluates the websites of government and public organisations along with submitting written requests for information. This method seeks to establish the transparency and efficiency of government and public organisations in providing information to the public. The process is monitored in line with provisions of ATI laws.

### Category 1:

In this category, websites of government and public organisations are evaluated to determine the accessibility and presence of credible and updated public information, which includes powers and functions of the organisation in question, budgetary allocations, procurement procedures and contact details.

### Category 2:

In this category, information requests are submitted to government and public organisations to determine the ease with which public information can be obtained.

## DESCRIPTION OF ASSESSMENT CRITERIA

The total number of points allocated to categories 1 and 2 is 20 points (n = 20) each.

Points are awarded based on the researcher's answer: yes (2 points); partial (1 point); no (0 points).

Public organisations fall into one of the following groups, depending on their score.

### Category 1: Website Analysis

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

**Group 2 (07–13):** Average website containing some relevant public information.

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

### Category 2: Requests for Information

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

**Group 2 (07–13):** Displayed an average level of openness in allowing access to public information.

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

The following countries were surveyed in this 2023 MISA Transparency Assessment: Botswana, Lesotho, Malawi, Mozambique, Tanzania, Zambia and Zimbabwe.



# BOTSWANA

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Section 12 of the Botswana Constitution provides for FOE. However, Botswana is one of the countries in Southern Africa without an ATI law. Despite several regional and international protocols on ATI, Botswana has yet to domesticate or ratify these.

Efforts to craft ATI legislation have been frustrated in Parliament, notably in 2012, when the then Leader of the House and now the President of the country, Mokgweetsi Masisi, led the rejection of the proposed Private Members Bill, submitted by opposition Member of Parliament, Dumelang Saleshando, with a promise of a better Bill.

The government continues strengthening information control systems under the guise of improving public relations. Centralising the flow of information has meant delays and, in many cases, as this survey shows, no information at all.

There seems to be no appreciation of the fact that government officials are just custodians of public information and not owners of it.

In recent months, government communication teams have been consolidating their positions and undergoing training and morale-boosting retreats. A high recruitment drive to beef up the government communication human machinery, particularly in the Office of the President and Botswana Television, has been noticed.

The government appears to be deliberately stifling FOE and ATI in Botswana. In 2022, the Criminal Procedure and Evidence (Controlled Investigations) Act was enacted, raising fears that the right to privacy would be undermined as it permitted surveillance without judicial oversight. Some provisions of the law provided for snooping and intercepting private communication without a court warrant. This was a clear affront to FOE and ATI, particularly to journalists' sources, as they would be exposed, and this would compromise ATI.

Eventually, the new legislation was watered down due to public outcry and advocacy from civil society actors.

ATI is also compromised by harassment of human rights defenders, notably journalists. In July 2023, journalists from Mmegi newspaper, editor Ryder Gabathusi and senior reporter Innocent Selatlhwa, were detained with suspicion that the security services wanted to know the identity of their sources for a particular story.

Their devices were confiscated, and this raised fears that the authorities wanted to know who their contacts were. The detention of the two journalists, even though they were released without charge, was viewed as a direct assault on freedom of the media and FOE. It was meant to send a chilling message across the media and sources of confidential information. As a result, ATI was compromised, as sources did not trust journalists with their information.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This survey targeted ten public organisations to ascertain how responsive they are to information inquiries by the public. The survey was carried out from May to June 2023. The organisations surveyed included two government ministries and eight state-owned institutions or parastatals.

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

### OBJECTIVES OF THE STUDY

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

### RESEARCH METHODOLOGY

The research used qualitative and quantitative data collection methods to evaluate the level of public access to information held by government and public



organisations. Each MISA Chapter conducted research by evaluating the websites of government and public organisations along with submitting written requests for information. This method seeks to establish the transparency and efficiency of government and public organisations in providing information to the public.

The researcher used two other persons (a journalist and a small business owner) to request information from institutions. This was done to improve objectivity in the collection of information. The initial requests were sent by email, with follow-up inquiries made by telephone calls and physical visits.

One researcher analysed all websites. The websites were checked regularly with the last inspection done during the week ending 20 July 2023.

## ORGANISATIONS SURVEYED

The following organisations were surveyed:

1. Botswana Examination Council
2. Botswana Housing Corporation
3. Botswana International University of Science and Technology
4. Botswana National Productivity Centre
5. Botswana Parliament
6. Botswana Police
7. Botswana Tourism Organisation
8. Ministry of Environment, Natural Resources Conservation and Tourism
9. Ministry of Trade and Industry
10. Special Economic Zones Authority

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- The electronic (email) inquiry setup was dysfunctional.
- The websites only provided standard or basic information.
- Most of the websites are not regularly updated.
- The majority of the websites lack interactivity, making instant feedback impossible.

### Category 2: Requests for information

- Requests for information were generally not acknowledged nor responded to.
- The request for information was often treated with suspicion.
- Public relations officers at public institutions restricted the flow of information.
- There was no response to electronic (email) enquiries.

# DETAILED FINDINGS

## 1. BOTSWANA EXAMINATION COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

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

The website of the Botswana Examination Council (BEC) is updated regularly. It has a range of information, including names of committee members and their remuneration rates.

However, BEC last uploaded their annual report in 2019. Efforts to seek clarification through an email address provided on the website were futile. The institution's Facebook page is updated regularly, and in the six months before this assessment, the page administrator posted, on average, three times a month. However, the page administrator does not interact with users who ask follow-up questions on posts.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Regularly updated until the COVID-19 pandemic in 2020.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?		X		
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?			X	
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?	X			
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	The mechanism exists, but there was no response to messages.

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the BEC:

- May we have BEC's current annual report?
- May we have the financial report or statement, or the reasons why the report is unavailable?

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

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

**Total score: 5/20**

## 2. BOTSWANA HOUSING CORPORATION

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.bhc.bw>

The Botswana Housing Corporation (BHC) website is not regularly updated. The last item on their latest news section was uploaded in November 2022. However, the website does have relevant information, such as detailed descriptions of services offered. There is no platform for interaction with customers.

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

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to BHC:

- What was your organisation's budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent at the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?
- Kindly share a copy of your latest annual report.

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

**Total score: 4/20**

## 3. BOTSWANA INTERNATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.biust.ac.bw>

The university's website is properly maintained and sufficient for an academic institution. The website is primarily concerned with academic issues and does not have much information on administration or management.

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

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

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Botswana International University of Science and Technology:

- What was your organisation's budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services and/or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent at the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?
- Kindly share a copy of your latest annual report.

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

**Total score: 6/20**

## 4. BOTSWANA NATIONAL PRODUCTIVITY CENTRE

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.bnpc.bw>

The Botswana National Productivity Centre website is not regularly updated, with some sections last updated in 2016.

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

**Total score: 4/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Botswana National Productivity Centre:

- What was your organisation's budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services and/or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent at the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?
- Kindly share a copy of your latest annual report.

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

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

**Total score: 4/20**

## 5. BOTSWANA PARLIAMENT

### CATEGORY 1: WEBSITE ANALYSIS

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

The website of the Botswana Parliament was regularly updated when first inspected. It was resourceful and provided access to necessary documents, such as standing orders. However, on subsequent inspections, the website was no longer accessible.

The institution has an active Facebook page where the latest information is shared regularly. Parliament also has a Botswana Speaks programme in which the community is encouraged to seek information from their Member of Parliament's offices.

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

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Botswana Parliament:

- What was your organisation's budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services and/or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent by the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?

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

**Total score: 6/20**

## 6. BOTSWANA POLICE

### CATEGORY 1: WEBSITE

<http://www.gov.bw/ministries/botswana-police-service>

The Botswana Police does not have its own website but has a dedicated page on the government website. However, this page was not accessible during the assessment. They also have an active Facebook page, where they posts press releases and information about wanted people.

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



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

**Total score: 4/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Botswana Police:

- Would you say there is improvement in the occurrence of this environmental issue?
- What is the police's role in the fight against the illegal extraction of river and pit sand?
- Do you have statistics on how many people were arrested for the offence and how many were tried in courts of law?
- What could be the cause of the illegal extraction of river and pit sand around urban centres?
- What can be done to reduce the poaching of river and pit sand?

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

**Total score: 2/20**

## 7. BOTSWANA TOURISM ORGANISATION

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.botswanaturism.co.bw>

The Botswana Tourism Organisation's website is aesthetically well-designed. However, it is quiet on management issues and has no information on finances or other administrative issues.

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

**Total score: 8/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to the Botswana Tourism Organisation:

- This is to request the Botswana Tourism Organisation's latest annual report, inclusive of the organisation's latest annual financial statement.

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

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

**Total score: 4/20**

## 8. MINISTRY OF ENVIRONMENT, NATURAL RESOURCES CONSERVATION AND TOURISM

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.gov.bw/ministries/ministry-environment-natural-resources-conservation-and-tourism>

The ministry section on the government website provides basic information such as contact details and functions of certain offices. A Facebook page is used to publish regular press releases. However, the information does not go beyond announcements of events.

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

**Total score: 7/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Environment, Natural Resources Conservation and Tourism:

- How does the Community-based Natural Resource Management (CBNRM) department mobilise communities to take responsibility for conserving the natural resources in their surroundings?
- What challenges have communities found to be a hindrance to controlling their natural resources?
- How is the working relationship between CBNRM and other land management stakeholders, like land boards and the mining department?
- Does the CBNRM office contribute/partake in the drafting of bills/laws aimed at alleviating illegal mining of river/pit sand?

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

**Total score: 2/20**

## 9. MINISTRY OF TRADE AND INDUSTRY

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.gov.bw/ministries/ministry-investment-trade-and-industry>

The ministry's website is housed under the government portal. It only contains basic information such as contact details. The government website is run centrally, making it difficult for ministries to control their own content. The website is not interactive. The ministry does have a Facebook page, where it posts updates regularly.

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

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

**Total score: 9/20**

## CATEGORY 2: REQUEST FOR INFORMATION

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

- What was your organisational budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services and/or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent by the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?
- Kindly share a copy of your annual report.

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

**Total score: 5/20**

## 10. SPECIAL ECONOMIC ZONES AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.seza.co.bw>

The Special Economic Zones Authority (SEZA) website is informative but incomplete in some areas. The team section, for instance, does not include portraits of all office bearers. The website has a section on terms of use, which details procedures to follow when using the platform and lists supporting legislation.

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

**Total score: 12/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to SEZA:

- What was your organisation's budget for the 2022-23 financial year?
- What was the total amount of funds requested for the same financial year?
- What services and/or developments were scheduled to account for the larger part of your budget?
- What percentage of the budget was spent by the end of the 2022-23 financial year?
- Which factors, if any, explain your organisation's inability to spend the budget to its intended percentage level?
- Kindly share a copy of your latest annual report.

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

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

**Total score: 8/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Botswana Examination Council	11	5	16
2. Botswana Housing Corporation	11	4	15
3. Botswana International University of Science and Technology	12	6	18
4. Botswana National Productivity Centre	4	4	8
5. Botswana Parliament	10	6	16
6. Botswana Police	4	2	6
7. Botswana Tourism Organisation	8	4	12
8. Ministry of Environment, Natural Resources Conservation and Tourism	7	2	9
9. Ministry of Trade and Industry	9	5	14
10. Special Economic Zone Authority	12	8	20

## RESEARCH CONCLUSION

Generally, all the institutions fared poorly, including those that scored the highest marks. No institution responded positively to the requests for information. Some institutions showed courtesy by engaging in conversations over the questions.

Out of the 10 targeted, only the top three acknowledged receipt, while the rest did not respond. The strengthening of Government Communications has not resulted in openness but has worsened the situation, as the communication system has now become a gatekeeper by blocking ATI. The officials employ delay tactics when information is requested, which could be a way of frustrating those requesting information.

The absence of ATI legislation continues to be the biggest hurdle towards transparency in government departments and agencies.

The websites for government departments and parastatals are mainly used as platforms to announce events and share press statements. They do not proactively share other helpful information, such as financial reports.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN BOTSWANA

The Botswana Police does not have a website of its own, despite its central role in society. It has an active Facebook page, which is only used for announcements. The Botswana Police did not respond to the request for information.

**Therefore, the 2023 Golden Padlock Award goes to the Botswana Police.**



### THE MOST OPEN PUBLIC ORGANISATION IN BOTSWANA

The Special Economic Zones Authority has an interactive website where citizens and investors can get most of the information they require. Although the authority did not respond to the request for information, it did acknowledge receiving the request.

**Therefore, the 2023 Golden Key Award goes to the Special Economic Zones Authority.**

## RECOMMENDATIONS

- Institutions need to improve their response mechanism and ensure they acknowledge requests for information.
- Training for public relations officers must focus on ATI.
- Websites need to be regularly updated.
- Requests submitted through electronic platforms need to be acknowledged and responded to promptly.
- There must be a mindset shift by government departments and parastatal officials to improve ATI.
- An ATI law needs to be urgently crafted. Proactive information must be beyond announcements and press releases and include crucial information, such as contractual details on procurement.





# LESOTHO

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Access to information from government and public institutions in Lesotho remains difficult for citizens. The use of online and digital platforms by citizens has grown over the years, but this has not been matched by government responsiveness to information dissemination.

Most public institutions are still lagging in disseminating information to the public. A clear example is the lack of websites, which makes it difficult for the media to perform its watchdog role as well as inform the public. People in remote areas rarely have access to the internet and information on government programmes. Moreover, in a country where more than half of the population lives below the poverty line, few can afford digital gadgets and maintain them effectively to access information. Internet penetration is relatively low in Lesotho, with network coverage pegged at 52 per cent of the population. Access to the internet is concentrated in urban areas. In rural areas, access to the media and information literacy is low, leaving these communities at risk of misinformation, and limited FOE and ATI.

Lesotho is a signatory of Article 19 of the Universal Declaration of Human Rights, Article 9 of the African Charter on Human and Peoples' Rights and Article 4 of the Declaration of Principles on Freedom of Expression in Africa.

These instruments guarantee the fundamental human right to request and receive information from public institutions. Despite signing onto these regional instruments, Lesotho has yet to enact an ATI law.

Through bodies like the MISA Lesotho Chapter, the media fraternity has robustly opposed the laws that inhibit ATI. MISA Lesotho's Position Paper was sent to the National Reforms Authority to advocate for media sector changes desired by its members and take a stand against laws that hamper FOE.

Practising journalism in Lesotho can be dangerous, as evidenced by the shooting to death of Ralikonelo "Leqhashasha" Joki of Tšenolo FM, who was killed as he left his workplace in May 2023. Before the shooting, Joki had received threats to his life on Facebook.

In the aftermath of Joki's death, in June 2023, a suspected fake Facebook account under the name Ramoriana Mphoto made death threats to radio presenters from People's Choice Radio, Tšenolo FM, KEL Radio and ACL Radio, stating they were the next targets. The threats were chilling and sent shockwaves through the media industry as journalists wondered who would be next.

Such incidents foster a culture of self-censorship and are a threat to FOE and ATI.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This study aimed to analyse the accessibility of information from government and public institutions in Lesotho. Eight government and public institutions were selected for this study.

### OBJECTIVES OF THE STUDY

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

### RESEARCH METHODOLOGY

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

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Directorate on Corruption and Economic Offences
2. Land and Administration Authority
3. Lesotho Highlands Development Authority
4. Lesotho National Dairy Board
5. Ministry of Agriculture and Food Security
6. Ministry of Communications, Science and Technology
7. Ministry of Education and Training
8. Ministry of Health

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- The websites of most public institutions do not contain basic information about the working hours and steps to obtain information. Much information provided is out-of-date.
- Some public institutions do not have websites or other accounts on social media platforms (such as Facebook), which makes it very difficult to access information. Those that use Facebook do not upload information regularly.
- Some public institutions do not have funds to maintain their websites. These include the Ministry of Health, the Ministry of Education and Training, and the Directorate on Corruption and Economic Offences.

### Category 2: Requests for information

- Most surveyed public institutions have designated information officers, except for a few, such as the Lesotho National Dairy Board.
- Most information officers were responsive and answered the questions received.
- Most information officers replied within two days and answered the questions without questioning the motive of the researchers.

# DETAILED FINDINGS

## 1. DIRECTORATE ON CORRUPTION AND ECONOMIC OFFENCES

### CATEGORY 1: WEBSITE ANALYSIS

The Directorate on Corruption and Economic Offences does not have a functional website. It also does not use social media platforms like Facebook or X (formerly known as Twitter). The information officer's contact details were not easily accessible.

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

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

- Does the institution have an operational website?
- Is the website up to date?
- Does the institution have designated information personnel?
- Are the institution's contact numbers, email addresses and working hours displayed on the website?
- Are vacancies and employment opportunities open to the public?
- Does the website contain up-to-date information?
- Does the institution disclose information about its operations, budgets and structure?

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

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

**Total score: 12/20**

## 2. LAND AND ADMINISTRATION AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.laa.org.ls>

The Land Administrative Authority has a website. However, it does not contain basic information such as reports, policies and budgets. Public engagements are displayed on social media platforms.

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

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Land Administration Authority:

- Does the institution have an operational website?
- Is the website up to date?
- Does the institution have designated information personnel?
- Are the institution's contact numbers, email addresses and working hours displayed on the website?
- Are vacancies and employment opportunities open to the public?
- Does the website contain up-to-date information?

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

**Total score: 20/20**

## 3. LESOTHO HIGHLANDS DEVELOPMENT AUTHORITY

### CATEGORY 1: WEBSITE

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

Lesotho Highlands Development Authority has the necessary platforms for public engagements. The website is active and up to date. It makes use of social media for public engagements.

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

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

**Total score: 19/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Lesotho Highlands Development Authority:

- Does the institution have an operational website?
- Is the website up to date?
- Does the institution have designated information personnel?
- Are the institution's contact numbers, email addresses and working hours displayed on the website?
- Are vacancies and employment opportunities open to the public?
- Does the website contain up-to-date information?

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

**Total score: 20/20**

## 4. LESOTHO NATIONAL DAIRY BOARD

### CATEGORY 1: WEBSITE

#### No website

The Lesotho National Dairy Board does not have a website. It does have a Facebook page, but this is not regularly updated.

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

**Total score: 2/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Lesotho National Dairy Board:

- Does the institution have an operational website?
- Is the website up to date?
- Does the institution have designated information personnel?
- Are the institution's contact numbers, email addresses and working hours displayed on the website?
- Are the vacancies and employment opportunities open to the public?
- Does the website contain up-to-date information?

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



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

Total score: 12/20

## 5. MINISTRY OF AGRICULTURE AND FOOD SECURITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.gov.ls/ministry-of-agriculture/>

The Ministry of Agriculture and Food Security's website is not up-to-date and only contains basic information.

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

Total score: 7/20

## CATEGORY 2: REQUEST FOR INFORMATION

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

- Is there public awareness of agricultural issues?
- Does the website have the institution's address, telephone number and working hours?
- Do you have the digital capacity to maintain information about the ministry?
- What type of communication strategies do you use to interact with the public?
- Are employment and vacancy opportunities open to everyone?
- Does the website contain up-to-date information?

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

Total score: 20/20

## 6. MINISTRY OF COMMUNICATIONS, SCIENCE AND TECHNOLOGY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.gov.ls/ministry-of-communications-science-and-technology/>

The Ministry of Communications, Science and Technology has a fully functional website that publishes relevant information. The information is accessible and up to date. The website also displays a toll-free number for feedback purposes. Other platforms like Facebook and X are used for information dissemination.

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

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

**Total score: 18/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Communications, Science and Technology.

- Is information about the ministry easily accessible to the public?
- Does the ministry have communication strategies to interact with the public?
- Does the ministry have designated information personnel?
- Does the ministry have an operational website?
- Does the website contain up-to-date information?
- Does the website have address details, telephone number and working hours of the institution?
- Are vacancies and employment opportunities open to everyone?

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

**Total score: 20/20**

## 7. MINISTRY OF EDUCATION AND TRAINING

### CATEGORY 1: WEBSITE ANALYSIS

#### No website

The Ministry of Education and Training does not have an operational website. Facebook is used to disseminate information, but the page is not updated regularly.

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

**Total score: 1/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Education and Training:

- Is information about the ministry easily accessible to the public?
- Does the ministry have communication strategies to interact with the public?
- Does the ministry have designated information personnel?
- Does the ministry have an operational website?
- Does the website contain up-to-date information?
- Does the website have the address details, telephone number and working hours of the institution?
- Are vacancies and employment opportunities open to everyone?

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

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

**Total score: 12/20**

## 8. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE ANALYSIS

#### No website

The Ministry of Health does not have an active website, making it challenging to find relevant information about the ministry online.

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

**Total score: 1/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Health:

- Is there a toll-free number for emergencies?
- Is there information dissemination of health issues and prevention mechanisms to the public?
- Do you have the digital capacity to maintain information about the ministry?
- What type of communication strategies do you use to interact with the public?
- Are employment and vacancy opportunities open to everyone?
- Does the website contain up-to-date information?
- Does the website have the address details, telephone number and working hours of the institution?

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

**Total score: 18/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Directorate on Corruption and Economic Offences	0	12	12
2. Land and Administration Authority	10	20	30
3. Lesotho Highlands Development Authority	19	20	39
4. Lesotho National Dairy Board	2	12	14
5. Ministry of Agriculture and Food Security	7	20	27
6. Ministry of Communications, Science and Technology	18	20	38
7. Ministry of Education and Training	1	12	13
8. Ministry of Health	1	18	19

## RESEARCH CONCLUSION

The assessment findings reveal that ATI from public institutions in Lesotho remains a challenge. This is mainly due to the legislative environment, as no ATI legislation promotes proactive disclosure of information. Public institutions seem reluctant to use online platforms for information dissemination.

Although no organisation declined to release information, some institutions did not have websites or social media accounts.

It was also noted that some information officers delayed releasing information, citing that they were busy. Another challenge was finding the contact details for the responsible information officer, as this information is not available on the websites. In other organisations, there was no response to emails and messages.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN LESOTHO

The Directorate on Corruption and Economic Offences has no website or social media presence. The researcher had difficulties finding the contact details for the information officer.

**Therefore, the 2023 Golden Padlock Award goes to the Directorate on Corruption and Economic Offences.**



### THE MOST OPEN PUBLIC ORGANISATION IN LESOTHO

Lesotho Highlands Development Authority has an up-to-date website, is very active on social media and uses the platform to disseminate information. The organisation's information personnel were responsive to requests for information.

**Therefore, the 2023 Golden Key Award goes to the Lesotho Highlands Development Authority.**

## RECOMMENDATIONS

- It is highly recommended that public institutions have active and up-to-date websites containing all the necessary information about their operations and contact details for their information officers.
- Social media platforms should be interactive and regularly updated, particularly regarding activities that concern the public.
- Information officers should have the necessary information at their disposal. They should be available at all times to respond to questions.



# MALAWI

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa



# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

The Malawi Constitution guarantees the right to ATI. Section 37 stipulates that “...every person shall have the right of access to all information held by the State or any of its organs at any level of government in so far as such information is required for the exercise of his rights”. In 2017, the country also witnessed the enactment of the Access to Information (ATI) Act. The Act exists to “provide for the right of access to information in the custody of public bodies and relevant private bodies; the processes and procedures related to obtaining that information; and to provide for matters connected therewith or incidental thereto”. Malawi now has a functional legal mechanism for accessing information.

However, implementing the ATI Act has not been as effective as expected by Malawians and advocates for ATI. Despite this legal mechanism for transparency and accountability, government ministries, departments and agencies, and relevant private bodies remain secretive.

About three years after the operationalisation of the law, some institutions have not yet appointed substantive information officers, contrary to the stipulations in the act which mandates every public institution appoint or designate an information officer within 12 months of the enactment of the Act (30 September 2020). At the commencement of each financial year, the Minister of Information must publish the list of all information officers in public institutions, but has not done so since 2020.

The Malawi Human Rights Commission is designated to oversee the implementation of the Act. The commission is required to do this by raising awareness of the Act, advising the government and stakeholders on the coordination of activities around ATI law, reporting to Parliament and other relevant bodies on the status of ATI, monitoring and assessing compliance by the information holders and making recommendations on the legal framework on ATI. To facilitate the processes, the commission established an ATI Unit, which has implemented awareness activities, but poor funding by the government has crippled its operations. The Malawi Human Rights Commission has also reported a low demand for information among citizens and attributed this to a lack of awareness.

MISA Malawi assessed transparency levels in 10 public institutions in line with the ATI law, and this report sums up the findings. The research was done by requesting information from the institutions and looking at their online presence by assessing their publishing of information on websites and other platforms such as Facebook.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This study aimed to assess the state of ATI in Malawi. Specifically, it sought to examine public organisations’ level of openness and ability to provide requested information. Ten organisations were surveyed between June and August 2023.

### OBJECTIVES OF THE STUDY

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

### RESEARCH METHODOLOGY

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

### LIMITATIONS OF THE STUDY

The study was carried out over a very short time. This made following up on critical issues difficult. In addition, the study was limited to 10 organisations, which makes it difficult to generalise the findings across the country. However, the results do shed light on the culture of transparency, or lack thereof, in Malawi.

## ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Blantyre City Council
2. Lilongwe City Council
3. Malawi Electoral Commission
4. Malawi Energy Regulatory Authority
5. Ministry of Agriculture
6. Ministry of Education
7. Ministry of Health
8. Ministry of Information and Digitalisation
9. Ministry of Local Government, Unity and Culture
10. Mzuzu City Council

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- Some websites are not up-to-date.
- The culture of secrecy prevails as demonstrated by public institutions not electronically (using websites or social media platforms) or proactively disclosing general public information such as signed contracts, licences, permits, public-private partnerships arrangements, budgets and financial reports.

### Category 2: Requests for information

- Nine out of ten institutions surveyed did not provide the information requested.
- Many public institutions have not established processes and procedures for handling obligations under the ATI Act.
- Some public institutions use information officers and public relations officers interchangeably, making it difficult for them to distinguish information requests under the ATI Act and information demanding a public relations approach.
- Nine of the ten public institutions surveyed have not published names, designations and other particulars of information officers, including physical and electronic addresses where an applicant may submit requests for information.

# DETAILED FINDINGS

## 1. BLANTYRE CITY COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

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

Blantyre City Council has a functional website with up-to-date information. It also has an active Facebook page and an inactive X (formerly Twitter) account.

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

**Total score: 16/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Blantyre City Council:

- What notable challenges is Blantyre City Council facing in the enforcement of by-laws, including street vending and payment of city rates?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and/or social media platforms?
- What is Blantyre City Council's 2023-2024 budget, and how much has been allocated to road construction/rehabilitation?
- How much did the council generate through city rates and other revenue-generating initiatives during the 2022-2023 financial year?

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

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

**Total score: 4/20**

## 2. LILONGWE CITY COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

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

Lilongwe City Council has a functional and active website which contains the institutional budget and financial reports. The council also has an active Facebook page and an inactive X account.

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

**Total score: 17/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Lilongwe City Council:

- What notable challenges is Lilongwe City Council facing in the enforcement of by-laws, including street vending and payment of bills?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and/or social media platforms?
- What is Lilongwe City Council's 2023-2024 budget, and how much has been allocated to road construction/rehabilitation?
- How much did the council generate through city rates and other revenue-generating initiatives during the 2022-2023 financial year?

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

**Total score: 2/20**

## 3. MALAWI ELECTORAL COMMISSION

### CATEGORY 1: WEBSITE ANALYSIS

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

Although the Malawi Electoral Commission (MEC) has a functional website, it does not contain up-to-date information. The Facebook page is active with recent posts. The commission also has X and LinkedIn accounts.

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

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

**Total score: 16/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the MEC:

- How much did the MEC spend in the recent constituency/ward demarcation exercise?
- What were the major challenges the MEC faced in the recent demarcation exercise, and how were these addressed?
- How much has the MEC spent in the process of moving its headquarters from Blantyre to Lilongwe?
- Did the MEC identify where the Tippex that marred the 2019 elections came from?
- What measures has the commission put in place to ensure that presiding officers do not use Tippex again?
- What was MEC's budget for 2022, and how much was disbursed and used?

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

**Total score: 4/20**

## 4. MALAWI ENERGY REGULATORY AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

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

The Malawi Energy Regulatory Authority (MERA) had a functional website and an active Facebook page. It has an X account, but this is inactive.

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

**Total score: 16/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the MERA:

- What would you cite as MERA's key achievements in 2022?
- How is MERA dealing with the selling of fuel on the black market?
- Overall, how much did it cost to construct the MERA complex in Lilongwe?
- What is the percentage increase in the use of gas for domestic purposes over the past two years?
- How does MERA use fuel and other energy-related levies?

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

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

**Total score: 5/20**

## 5. MINISTRY OF AGRICULTURE

### CATEGORY 1: WEBSITE ANALYSIS

**agriculture.gov.mw**

Although the Ministry of Agriculture has a functional website, it does not contain up-to-date information. It also has an active Facebook page and an inactive X account.

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

**Total score: 12/20**



## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Agriculture:

- What was the proposed budget allocation for the Ministry of Agriculture in the 2022-2023 national budget, and how much has been disbursed?
- How much has been allocated to the Affordable Inputs Programme (AIP) in the 2023/2024 budget, and how many beneficiaries are targeted?
- How does the ministry relay information about its projects to the general public?
- What notable policy achievements has the ministry registered in the past five years?
- What are some of the notable challenges affecting the work of the ministry?

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

**Total score: 2/20**

## 6. MINISTRY OF EDUCATION

### CATEGORY 1: WEBSITE ANALYSIS

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

The Ministry of Education has a functional website. However, it does not contain up-to-date information. The ministry also has an active Facebook page and X and LinkedIn accounts.

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

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

**Total score: 13/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Education:

- What was the proposed budgetary allocation for the Ministry of Education for 2022-2023, and how much has been disbursed to the ministry?
- How many primary and secondary school learners could access e-learning or radio lessons in the absence of physical learning during the period of COVID-19?
- What are the ministry's notable challenges in providing primary and secondary school education?
- When is the ministry going to employ more primary and secondary school teachers?
- In the 2023-2024 budget, how much has been allocated to constructing new classroom blocks in primary and secondary schools?

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

**Total score: 6/20**

## 7. MINISTRY OF HEALTH

### CATEGORY 1: WEBSITE ANALYSIS

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

The Ministry of Health has a functional and active website, Facebook page and X account.

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

**Total score: 12/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Health:

- Drug shortages in public hospitals and health facilities continue to haunt the health sector in Malawi. Patients are told to buy their medication from pharmacies or drug stores. What strategies has the ministry put in place to solve this problem?
- What is the Ministry of Health's drug allocation in the 2023-2024 national budget?
- It is reported that the ARVs Malawians receive are wholly donated by foreign well-wishers/donors. Does the Ministry of Health have any fall-back plan in case these donations cease?
- When should Malawians expect the Cancer Centre in Lilongwe to be operational?
- What are the criteria for referring patients to hospitals outside the country for further treatment? What are the conditions for one to be on the list of beneficiaries?

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

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

**Total score: 4/20**

## 8. MINISTRY OF INFORMATION AND DIGITALISATION

### CATEGORY 1: WEBSITE ANALYSIS

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

The Ministry of Information and Digitalisation has a functional website with up-to-date information. The ministry is responsible for the Malawi government website. The ministry also has a Facebook page and an X account.

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

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Information and Digitalisation:

- What are some notable policy achievements in digitisation that the Ministry of Information has registered in the past two years?
- What notable steps has the ministry undertaken in implementing access to information since 2020?
- What is the ministry doing to ensure that the Malawi Broadcasting Corporation is free from political interference as the country approaches the 2025 elections?
- Does the ministry have a communications strategy?
- How many information officers, in relation to the ATI law, have been appointed?

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

**Total score: 6/20**

## 9. MINISTRY OF LOCAL GOVERNMENT, UNITY AND CULTURE

### CATEGORY 1: WEBSITE ANALYSIS

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

The Ministry of Local Government, Unity and Culture has a functional website but does not have up-to-date information. However, the ministry's Facebook page contains up-to-date information.

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

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

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Local Government, Unity and Culture:

- What notable actions has the ministry undertaken to ensure local councils have the requisite skills to generate and manage financial resources?
- Some audit reports have shown that local councils abuse funds. What steps has the ministry taken to ensure that councils are transparent and accountable?
- What notable policy achievements has the ministry registered in the past five years?
- What was the proposed budgetary allocation for the Ministry of Local Government, Unity and Culture for the 2022-2023 national budget and how much has been disbursed to the ministry?
- What are some culture-related initiatives that the ministry is currently implementing?

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

**Total score: 4/20**

## 10. MZUZU CITY COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

[mzuzucity.gov.mw](http://mzuzucity.gov.mw) or [mzuzucitycouncil.mw](http://mzuzucitycouncil.mw)

Mzuzu City Council has two different website links on its X account and Facebook page. Neither links are functional.

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

**Total score: 4/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Mzuzu City Council:

- What notable challenges is Mzuzu City Council facing in the enforcement of by-laws, including street-vending and payment of bills?
- What is the council doing to deal with the challenge of street vending?
- How often does the council update its website and/or social media platforms?
- What is Mzuzu City Council's 2023-2024 budget, and how much has been allocated to road construction/rehabilitation?
- How much did the council generate through city rates and other income-generating initiatives during the 2022-2023 financial year?

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

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

**Total score: 18/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Blantyre City Council	16	4	20
2. Lilongwe City Council	17	2	19
3. Malawi Electoral Commission	16	4	20
4. Malawi Energy Regulatory Authority	16	5	21
5. Ministry of Agriculture	12	2	14
6. Ministry of Education	13	6	19
7. Ministry of Health	12	4	16
8. Ministry of Information and Digitalisation	14	6	20
9. Ministry of Local Government, Unity and Culture	12	4	16
10. Mzuzu City Council	4	18	22



## RESEARCH CONCLUSION



### THE MOST SECRETIVE PUBLIC ORGANISATION IN MALAWI

The Ministry of Agriculture's website is outdated, although its Facebook page contains up-to-date information. The ministry did not even provide information as to where information requests should be made.

**Therefore, the 2023 Golden Padlock Award goes to the Ministry of Agriculture.**



### THE MOST OPEN PUBLIC ORGANISATION IN MALAWI

Mzuzu City Council is the only institution that provided information upon request and has an up-to-date Facebook page.

**Therefore, the 2023 Golden Key Award goes to Mzuzu City Council.**

## RECOMMENDATIONS

- To implement the ATI Act effectively in Malawi, the government needs to consistently fund the Malawi Human Rights Commission activities on ATI to increase awareness.
- It is also important that all public institutions appoint and publish the names and contact details of officers responsible for information requests to ease the information request process. Additionally, institutions should publish procedures to be used when requesting information.
- Using public relations officers as information officers poses a challenge, as the former fails to distinguish the duties for each role. It is important to separate them to avoid confusion.
- The public institutions should also proactively publish information about signed contracts, budgets and financial reports. Malawians must also embrace a culture of demanding the information they need from public or relevant private institutions.



# MOZAMBIQUE

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Like other fundamental and universally recognised rights, the right to information in Mozambique is covered by Article 48 of the Constitution of the Republic of Mozambique (CRM) within the framework of the general peace agreement and the consequent establishment of the Democratic State of Law in 1990. The CRM requires that provisions related to human rights must be interpreted in harmony with the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights, particularly concerning the right to freedom of opinion and expression (Article 19) and the right to information (Article 9).

Significant reforms in the civil service have been implemented in Mozambique, broadly associated with transparency and the expansion of information provision mechanisms through information and communication technologies (ICTs). The approval of the national information policy through Resolution No. 28 of 12 December 2000, Law No. 30/2001, which regulates the functioning of public administration, and the Right to Information Act (RTIA) are part of these efforts. However, these do not effectively translate into improving the provision of information to citizens. Among the most common obstacles are (i) the institutional incapacity for information management caused by the weak understanding of the law by officials and (ii) the absence of adequate infrastructure and channels that allow for efficient management of state-protected information.

The challenges of implementing the RTIA arise from a context of heightened crises in recent years. The COVID-19 pandemic, escalation of terrorist extremism in Cabo Delgado in northern Mozambique, cyclical natural disasters in the central and northern regions of the country, and the economic crisis resulting from the hidden debts scandal have forced the State to adopt a dual approach. On the one hand, and within the framework of the COVID-19 pandemic, state institutions resorted to digitising services provided to citizens in response to health protocols. On the other hand, they reinforced a secretive culture, particularly regarding the war in Cabo Delgado and the judicial processes related to the so-called "hidden debts case" in the name of judicial secrecy and State secrets.

During the war in Cabo Delgado, there has been a tendency by the State to revise laws and approve new legal instruments ostensibly to combat terrorism. However, this has threatened the right to information, as it penalises citizens for disseminating classified information, while public officials, who have an obligation to protect such information, are not held accountable.

A more coordinated effort among different actors, particularly civil society organisations, working towards democratising ATI in partnership with the government is essential for strengthening the State's institutional capacity. This will promote a more favourable institutional culture for the right to information and enhance institutional capacity and awareness.

The fact that the legal instrument has been in effect for nine years may create a false idea of maturity in State institutions regarding their understanding of the law. However, the observed contextual factors reported in the 2020 Transparency Report demonstrate that the State's commitment can quickly change depending on circumstances.

This study measured the level of readiness of public institutions and state-owned companies to provide information based on the application of the RTIA. Approved in 2014, this legal instrument and its corresponding regulations serve as a reference within the national legal framework regarding access to information (ATI) of public interest and fulfilment of the constitutional principle of citizens' democratic participation in public life and guaranteeing related fundamental rights.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This survey targeted ten public organisations to ascertain how responsive they are to information inquiries by the public. The survey was carried out from April to July 2023..

## OBJECTIVES OF THE STUDY

- To determine which organisations (both government and public) provide information to citizens upon request, timeously and with relative ease.
- To determine which organisations (both government and public) utilise online platforms to promote ATI.
- To help measure the progress or setbacks of the selected institutions compared to previous studies.

## RESEARCH METHODOLOGY

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

## LIMITATIONS OF THE STUDY

Despite relative peace in Cabo Delgado, the impact of unrest in that province continues to affect the functioning of provincial public institutions and central-level supervisory entities (ministries).

Another aspect that may have influenced this study is the successive signs of corruption and mismanagement in some institutions, leading public servants to adopt a culture that is averse to information requests.

Although the COVID-19 pandemic forced institutions to invest in providing services through online ICT, digitisation of public service provision has been gradually abandoned.

## ORGANISATIONS SURVEYED

The following organisations were surveyed:

1. Ministry of Education and Human Development
2. Ministry of Land, Environment, and Rural Development
3. Ministry of Justice, Constitutional and Religious Affairs
4. Municipal Council of Matola
5. Mozambique Tax Authority
6. National Institute for Disaster Risk Management
7. Municipal Council of Maputo
8. National Institute of Cotton and Oilseeds
9. Ministry of Labour, Employment, and Social Security
10. Mozambique Airlines

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All institutions assessed have websites and other social media platforms (mainly Facebook and LinkedIn).
- Websites contain relevant information, contact details, instruments, policies, and programmes. However, not all content is up-to-date.
- All institutions have chat and comment options. However, this is not widely utilised, and in cases where citizens raise questions, there is no culture of responding.
- There has been significant improvement in terms of website accessibility. Most websites are navigable. However, some are frequently offline.

### Category 2: Requests for information

- Overall, there is a culture of denying information. Few institutions responded positively to requests, and others remained silent.
- Information management continues to rely on a sector not adequately equipped for this purpose. Receiving documents is done by receptionists or secretaries, and these are subsequently forwarded to the departments responsible for the requested information.
- The communication and image departments created by some institutions do not have autonomy in information management. Their mandate is limited to coordinating the relationship between the institution and the media.
- Similar to the findings of previous studies, there is still tight control of information. Generally, it is under the control of a higher authority, to whom internal requests for information must be made, often resulting in a delayed response.
- The information management filing system in the tested institutions remains deficient. However, the lack of responses is not always solely due to this challenge. Many times, it stems from the observation made in the previous point. The extra caution from some public officials, especially those belonging to institutions involved in sensitive cases, also explains the prevalence of the problem.

# DETAILED FINDINGS

## 1. MINISTRY OF EDUCATION AND HUMAN DEVELOPMENT

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.mined.gov.mz/>

The Ministry of Education has a functional website divided into sections such as reports, programmes and competitions. However, it does not have up-to-date information, and there are instances where accessing documents is impossible. Some subpages display errors, making accessing the desired information difficult. The ministry has an active Facebook page.

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

**Total score: 10/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Education and Human Development:

- Please share statistics on school dropouts and sexual harassment in educational institutions over the past six years.
- Do you have an action plan or related documents regarding the assurance of textbook quality in the country?
- Do you have a report or related document on the results of supervision actions for ensuring textbook quality?
- Can you please provide the contracts for producing and printing textbooks for 2023?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	Documents are submitted at reception and then forwarded to the sectors/ departments with the requested information. However, these sectors do not have a specific mandate to provide information in general.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 3/20**

## 2. MINISTRY OF LAND, ENVIRONMENT, AND RURAL DEVELOPMENT

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.mta.gov.mz/>

Although the ministry has a website, it is not always online, making it impossible for visitors to access information. The ministry publishes events and relevant news on its Facebook page.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	Without specific analysis elements, given that the website is often offline. The Facebook page contains some information related to events.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		Without analysis elements, given that the website is often offline.
3. A list of laws, acts, etc, issued within the scope of its powers?		X		Without analysis elements, as the website is frequently offline.

n = 20	Yes	No	Partial	Additional information
4. Copies of reports, policies or programmes?				Without analysis elements, as the website is frequently offline.
5. Information on budget and expenditure?		X		Without analysis elements, as the website is frequently offline.
6. Information about procurement procedures or signed contracts?		X		Without analysis elements, as the website is frequently offline.
7. Information about vacancy and employment procedures?		X		Without analysis elements, as the website is frequently offline.
8. The address, telephone number, and working hours of the organisation?		X		Without analysis elements, as the website is frequently offline.
9. The contact details of specific public officials?		X		N/A
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		N/A

**Total score: 1/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to Ministry of Land, Environment, and Rural Development:

- Please supply data related to the state of the closure of the Hulene Dumpsite on the outskirts of Maputo city?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	There is no dedicated official. The request was submitted to the secretariat/reception.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?			X	Upon receiving the request, the institution signed and stamped a copy, which was kept by the researcher as proof of receipt.
10. Was the information received clear and understandable?		X		

**Total score: 3/20**

### 3. MINISTRY OF JUSTICE, CONSTITUTIONAL AND RELIGIOUS AFFAIRS

#### CATEGORY 1: WEBSITE ANALYSIS

<https://www.mjcr.gov.mz/home.aspx>

The Ministry of Justice, Constitutional and Religious Affairs has a partially updated website. Despite being an entity that leads legislative processes on behalf of the government, the website does not contain any current legal instruments. It also lacks information on policies, laws, reports and contracting procedures. However, the ministry has a Facebook page with recent information.

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

**Total score: 5/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to the Ministry of Justice, Constitutional and Religious Affairs:

- What is the status of drafting the legal framework for non-profit organisations, considering the debates that have occurred since last year, especially after submitting the initial government version?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	Information requests are submitted and processed by the institution's reception, who forwards documents to the offices and departments that hold the requested information.
2. Did the organisation reply within 21 days?		X		



n = 20	Yes	No	Partial	Additional information
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?			X	
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The institution only publishes documents related to competitions and institutional structure. It does not publish its budgets or financial reports.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 11/20**

## 4. MUNICIPAL COUNCIL OF MATOLA

### CATEGORY 1: WEBSITE ANALYSIS

<http://cmcmatola.gov.mz/author/geraldo/>

The Municipal Council of Matola has a website, but it does not have up-to-date information. The website contains budgets from 2015 and 2019. The council has a Facebook page that publishes information about events and activities.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?		X		
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		The website contains budgets from 2015 to 2019.
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		

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

**Total score: 7/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to the Municipal Council of Matola:

- Please share a copy of the contract for the management of the municipal park, Parque dos Poetas, in Matola.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	All documents were submitted and responded to through the receptionist/ secretary.
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			The information was not provided. The researcher was advised to request it from park managers even though the park is owned by the council.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?			X	The information was not provided, and the researcher was advised to contact the park managers directly.
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 8/20**

## 5. MOZAMBIQUE TAX AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.at.gov.mz/>

The Tax Authority of Mozambique has a partially updated website, which contains reports and budgets from 2007 to 2018. It also has information about procurement procedures and contracts from 2012 to 2014. The authority has a Facebook page, which includes the address, operating hours, and updated events organised by the institution.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?		X		The website has reports from 2007 to 2018. However, it does not have information on policies and programmes.
5. Information on budget and expenditure?		X		The website has budgets from 2007 to 2017.
6. Information about procurement procedures or signed contracts?		X		The website has information about procurement procedures and contracts from 2012 to 2014.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 9/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following request was made to the Tax Authority of Mozambique:

- Please share official data on contribution tax levels by MOZAL and SASOL companies in 2022.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	The documents were received and forwarded to the responsible department through the secretary/receptionist.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		

n = 20	Yes	No	Partial	Additional information
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The institution publishes information about its mandate, organisational structure, and other relevant information. However, it does not publish up-to-date reports.
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 4/20**

## 6. NATIONAL INSTITUTE FOR DISASTER RISK MANAGEMENT

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.ingd.gov.mz/>

The National Institute for Disaster Risk Management has an up-to-date website that includes reports from 2018-2021. However, it does not provide information on policies, programmes, or operating hours. The institute also has a Facebook page containing up-to-date information about its activities. Contact information such as phone numbers and addresses are available.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	The website has reports from 2018 to 2021 but does not have information on policies and programmes.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	The website has addresses and telephone numbers but no operating hours.

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

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the National Institute for Disaster Risk Management:

- Please share information on plans and budgets for natural disasters response for the last rainy season.
- Please share the report on the response to natural disasters in 2022/2023, reflecting the required resources, mobilised resources, their source, and the allocation levels to beneficiaries.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	All correspondence was processed and submitted through the secretariat/reception.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?				N/A
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The website has reports from 2018 to 2021. However, it does not provide information on policies and programmes.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 12/20**

## 7. MUNICIPAL COUNCIL OF MAPUTO

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.cmmaputo.gov.mz/>

The Municipal Council of Maputo has a website; however, it contains out-of-date information from 2022. The telephone number on the website is not functional. The council has a Facebook page where it shares information about its activities.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	The website has information about the local authority's mission, vision, statutes, and regulations. However, it does not show its organisational structure.
3. A list of laws, acts, etc, issued within the scope of its powers?			X	The institution publishes regulations and statutes.
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			The website includes a page where visitors can interact with the council by submitting complaints.

**Total score: 7/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Municipal Council of Maputo:

- Please share information related to the processes of granting the right of use and exploitation of land in environmentally protected areas.
- What are the allocation criteria, sustainability of these allocations, legal basis for space allocation, and level of coordination in the decision-making processes regarding this matter?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	The entry and processing of documents are managed by the secretary/receptionist.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	

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

**Total score: 4/20**

## 8. NATIONAL INSTITUTE OF COTTON AND OILSEEDS

### CATEGORY 1: WEBSITE ANALYSIS

<https://iaom.gov.mz/>

The National Institute of Cotton and Oilseeds has an up-to-date website. It also has Facebook and LinkedIn pages with relevant information about events organised by the institution.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?			X	The page shows previous and current programmes. It also includes both narrative and financial reports.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?			X	The website does not provide information on administrative and financial procedures associated with procurement. However, it publishes announcements of tenders for procuring goods and services.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	The website offers a newsletter subscription, allowing the public to receive up-to-date information. The Facebook and LinkedIn platforms allow for some interaction with the public. However, they do not serve as exclusive spaces for requesting and responding to information requests.

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the National Institute of Cotton and Oilseeds:

- Please share the Annual Report on Social Assistance 2022.
- Please share the Action Plan for the Sustainability of the Cotton and Cashew Nut Production Sector in Mozambique.

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?			X	There is no official dedicated to information management. The information was provided by the responsible personnel in the department that held the requested information.
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			The requested information was held by the Mozambique Cashew Nut Institute. The institution not only provided the information but also directed the researchers on where to find the information that was not under its jurisdiction.
6. Did the organisation provide written reasons for the refusal of information?	X			
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The institution publishes important documents regarding programmes and other initiatives, as well as its organisational structure. However, it does not publish budgets and financial reports.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			The institution questioned the motives of the researcher before providing the information.
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 16/20**



## 9. MINISTRY OF LABOUR, EMPLOYMENT, AND SOCIAL SECURITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.mitess.gov.mz/>

The Ministry of Labour, Employment, and Social Security has an up-to-date website. It also has a Facebook page where information about the ministry's activities is shared.

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

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Labour, Employment, and Social Security:

- Please share the Annual Report on Social Assistance 2022.
- Please share the Institutional Operation Plan and Budget for the year 2023.

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

n = 20	Yes	No	Partial	Additional information
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The institution publishes very little information about its activities on its website. It has a section dedicated to reports, but no reports are available.
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?		X		

**Total score: 4/20**

## 10. MOZAMBIQUE AIRLINES

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.lam.co.mz/>

Mozambique Airlines (LAM), a state-owned company in the civil aviation industry, has a website that provides relevant information about its services, including promotions, flight schedules, and online booking and check-in services. The website primarily promotes its business and does not publish plans, reports, or other relevant information. LAM also has LinkedIn and Facebook pages where the company promotes its business.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	The website provides information about flight schedules, destinations, and mechanisms for online and offline ticket reservations and payment. However, it does not provide information on other aspects, such as plans, reports, or relevant details beyond flight-related services.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?		X		
3. A list of laws, acts, etc, issued within the scope of its powers?			X	The website occasionally publishes agreements related to baggage services. However, the visibility and accessibility of this is curtailed by technical glitches.
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		

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

**Total score: 7/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to Mozambique Airlines:

- Please clarify the procedures followed in the recent recovery of US\$43 million by the company's management and the approach taken in the collection process as part of the company's restructuring plan.

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

**Total score: 3/20**

## SUMMARY

Organisation	Website	Request for information	Total score
11. Ministry of Education and Human Development	10	3	13
1. Ministry of Land, Environment, and Rural Development	1	3	4
1. Ministry of Justice, Constitutional Affairs	5	11	16
1. Municipal Council of Matola	7	8	15
1. Mozambique Tax Authority	9	4	13
1. National Institute for Disaster Risk Management	10	12	22
1. Municipal Council of Maputo	7	4	11
1. National Institute of Cotton and Oilseeds	11	16	27
1. Ministry of Labour, Employment, and Social Security	11	04	15
1. Mozambique Airlines	07	03	10

## RESEARCH CONCLUSION

This report on the readiness of public institutions or state-owned companies to provide information showed relative progress compared to the 2020 Transparency Assessment.

In this report, four institutions responded to the information requests, compared to only two in 2020. However, the number of institutions that responded within the defined timeframe remained unchanged.

The findings were buttressed by the fact that, in this study, two institutions responded within the 21-day period as required by law, which was also observed in 2020.

- The City Municipal Council of Matola responded within 21 days but failed to provide the requested information.
- The National Institute of Cotton and Oilseeds also responded within the timeframe stipulated. The institute, ranked the most secretive in 2020, went out of its way to help the researcher access information held by another institution, the Mozambique Cashew Nut Institute.

However, the number of institutions that ignored information requests is significant. In 2020, eight institutions (80% of the selected institutions) withheld requested information. In 2023, the number dropped to six (60%).

Unlike in 2020, where a considerable improvement in information provision through websites was noted, the latest study found that these platforms, including social media sites, contained relevant but outdated information. Most of the information is related to events promoted by these institutions. The return to normalcy after the pandemic may explain this trend.

Overall, it can be concluded that Mozambique institutions remain secretive.

The progress made in using virtual platforms in 2020 was influenced by the outbreak of the COVID-19 pandemic and does not apply to the current context of returning to normalcy.

The issue of updating and maintaining the websites observed at that time persists. Social media platforms, although important, are mainly used for publishing event-related announcements and not necessarily for proactive interaction with the public.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN MOZAMBIQUE

The Ministry of Land, Environment, and Rural Development has a website, but it is frequently offline. They did not respond to the request for information.

**Therefore, the 2023 Golden Padlock Award goes to the Ministry of Land, Environment, and Rural Development.**



### THE MOST OPEN PUBLIC ORGANISATION IN MOZAMBIQUE

The National Institute of Cotton and Oilseeds was the most flexible institution in providing information. It provided the requested information within the 21-day timeframe defined by the law. The provided information was clear, and the website contains updated and relevant information.

**Therefore, the 2023 Golden Key Award goes to the National Institute of Cotton and Oilseeds.**

## RECOMMENDATIONS

- **Capacity building and awareness:** It is crucial to invest in training and awareness programmes for public officials and citizens about the importance of transparency and ATI. For public servants, the training should cover the principles and guidelines of the RTIA, emphasising the relevance of transparency for good governance and strengthening citizen participation.
- **Strengthening communication channels:** Public institutions should establish efficient and accessible communication channels to facilitate ATI. This may include regular website updating of website updates, providing information in open and accessible formats, and using social media platforms and other digital platforms for proactive dissemination of relevant information.
- **Strengthening technological infrastructure:** Investing in technical infrastructure is crucial to improve the provision of public information. This includes creating efficient information management systems, accelerating the digitisation of archives, and streamlining request and access procedures.
- **Promoting a culture of transparency:** ATI is closely related to a culture of transparency and good governance. Therefore, it is necessary to promote a culture of openness within public institutions by strengthening mechanisms for accountability and transparency and encouraging citizen participation in decision-making processes.
- **Monitoring and evaluation:** Implementing mechanisms to monitor and evaluate the implementation of the RTIA is essential. While some civil society organisations have been doing this, establishing an independent oversight and monitoring body (such as an Information Access Commission) would be an important step.
- **Partnerships and cooperation:** Despite achievements in this area (partnerships between the government, through the Centre for Documentation and Information of Mozambique, and some civil society organisations), this action should be seen as an ongoing process to ensure ownership of processes by public institutions. Promoting partnerships and cooperation between public institutions, civil society, and other relevant actors is crucial. This collaboration can contribute to sharing best practices, exchanging knowledge, and seeking joint solutions to strengthen the provision of public information of interest.



# TANZANIA

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Successive Tanzanian presidents have publicly supported access to information (ATI) legislation, which shows the country's long history of attempting to bring to life the right to ATI.

In Tanzania, ATI has been under discussion, and efforts are being made to improve transparency and openness in government operations. The government has taken steps to promote ATI. President Samia Suluhu Hassan's administration has recognised the information deficit for citizens.

The Constitution of the United Republic of Tanzania, 1977, recognises the right to information as a fundamental right. Article 18 guarantees the right to seek, receive, and impart information. In addition, the Access to Information Act (No. 6 of 2016) was enacted to provide a legal framework for accessing information held by public authorities. This law outlines procedures for accessing information, establishes the information officer's role in each public authority, and sets guidelines for handling requests. Some information is exempt from disclosure, for example, if it affects national security.

ATI is critical for development as the world moves into a more open society, particularly with new technologies. However, laws such as the Media Services Act of 2016 and Media Services Act Regulations 2017, the Cybercrimes Act and Statistics Act both of 2015, the Electronic and Postal Communications (Online Content) Regulations of 2018 and the Prison Act of 1967 still threaten ATI in Tanzania.

For adequate implementation to occur, certain measures need to be taken, for example building the capacity of citizens to understand the importance of the right to access information.

The culture of secrecy among public officials in Tanzania at both central and local government levels hinders the work of journalists. This affects ATI, which is necessary for media reporting towards increased civic participation, transparency, and accountability in governance.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

This survey targeted eight public organisations to ascertain how responsive they are to information inquiries by the public. The survey was carried out from 12 June 2023 to 12 July 2023. Information requests were made to public institutions, and responses were tracked and monitored.

### OBJECTIVES OF THE STUDY

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

### RESEARCH METHODOLOGY

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

The eight participating institutions were randomly selected depending on the relevance of the work the institutions are mandated to do for the country. The study also looked at the social media activities of the organisations as well as their websites.

### LIMITATIONS OF STUDY

Inadequate financial and manpower resources: For any research to be successful, adequate manpower and funding are essential.

## ORGANISATIONS SURVEYED

The following organisations were surveyed:

1. Bank of Tanzania
2. National Health Insurance Fund
3. Tanzania Communication Regulatory Authority
4. Tanzania Forestry Service Agency
5. Tanzania Investment Centre
6. Tanzania National Parks
7. Tanzania Insurance Regulatory Authority
8. Tanzania Student Loan Board

## SUMMARY OF KEY FINDINGS

### Category 1: Website analysis

- All surveyed organisations had functioning websites containing useful information such as policies, areas of expertise, regulations, news, reports, organisational leadership structure, and connection details. However, not all information is up-to-date.
- All organisations often use two languages (Swahili and English) to display their information.
- Most of the sites were not regularly updated.

### Category 2: Requests for information

- Letters with questionnaires were prepared and delivered to the respective offices.
- Some institutions responded within the stipulated time frame. Some were not responsive due to bureaucratic requirements and some only responded after persistent follow-ups.
- The study also found that handling correspondence was a problem at almost all the organisations surveyed. Many claimed not to have received the emails or letters initially sent.



# DETAILED FINDINGS

## 1. BANK OF TANZANIA

### CATEGORY 1: WEBSITE ANALYSIS

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

The website contains up-to-date information and details of their work, including currency exchange rates. It contains budget reports, financial statements, and other important information like vacancies and tenders. However, it lacks modern features. The information is displayed in Swahili and English. The Bank of Tanzania has a Facebook account.

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

**Total score: 14/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Bank of Tanzania (BOT):

- Who is responsible for setting bank charges?
- Is the procedure the same for microfinance and commercial bank registration?
- What does BOT do when the exchange rate falls?
- What are the procedures for opening a Bureau de Change, which sets the exchange rate amount for a Bureau de Change, TRA and Banks?
- What measures does the bank take to stop the production of fake banknotes?
- What are the reasons for changing a banknote to a coin or a coin to a note, and a note or coin to a new feature coin/note?

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

**Total score: 0/20**

## 2. NATIONAL HEALTH INSURANCE FUND

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.nhif.or.tz/>

The website contains important information like services, location, contact details and organisational structure. The information is displayed in Swahili, which is commendable because it's easy for local people to understand. The organisation has X (formerly Twitter) and Facebook accounts, which are displayed on the website.

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

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

**Total score: 11/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the National Health Insurance Fund (NHIF):

- Why should someone choose NHIF as their health insurance fund organisation? What do you offer over other funds?
- Are private sector employees allowed to join the fund? If yes, what is the membership procedure?
- Health insurance is essential, but many citizens, especially from rural areas, do not understand its importance. What do you do as a government agency to reach them?
- How affordable are your services to an ordinary citizen compared to other funds?
- Are public servants bound to only join NHIF?
- Many government employees are members of the NHIF, earning minimum wages. What measures are taken to ensure they can afford the scheme?

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

**Total score: 16/20**

### 3. TANZANIA COMMUNICATION REGULATORY AUTHORITY

#### CATEGORY 1: WEBSITE ANALYSIS

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

The website is interactive and up-to-date. Most of the information is in Kiswahili, which makes it accessible to local people.

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

**Total score: 20/20**

The following questions were sent to the Tanzania Communication Regulatory Authority:

- What are the regulatory requirements for digital and electronic communications in Tanzania?
- What measures are in place to regulate social media content?

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

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

Total score: 17/20

## 4. TANZANIA FOREST SERVICES AGENCY

### CATEGORY 1: WEBSITE ANALYSIS

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

The website has updated information about the organisation in English and Swahili. The organisation also has Facebook and X accounts.

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

Total score: 18/20

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Tanzania Forest Services (TFS) Agency:

- How many forests are under your care?
- What do you do to keep forests safe?
- How many bee resources does Tanzania have, and how much do they contribute to the economy?
- What does TFS do to encourage beekeeping in the country?
- What are the procedures that have to be followed to sell raw materials from tree farms that are under government ownership?

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

Total score: 6/20

## 5. TANZANIA INVESTMENT CENTRE

### CATEGORY 1: WEBSITE ANALYSIS

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

The website displays useful information, such as signed contracts, budgets and other financial reports based on the nature of the organisation. The information is available in more than 70 national languages, including Swahili.

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

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

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Tanzania Investment Centre (TIC):

- Is TIC responsible for all investment activities, including agreements with different companies?
- What are the procedures for investors who want to invest in Tanzania?
- Are the procedures the same for local and international investors? If not, what are the differences?
- How do you ensure equal opportunities for potential local and international investors?
- What are the main challenges to local investors, and how do you address them?

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

**Total score: 8/20**

## 6. TANZANIA INSURANCE REGULATORY AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

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

The website contains up-to-date information in both English and Swahili. Social network details are displayed.

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

**Total score: 12/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Tanzania Insurance Regulatory Authority (TIRA):

- What are the procedures for registering an insurance company, and what qualifications must one have?
- Insurance is critical whether it's for health or property. How far does TIRA go to ensure that insurance companies have citizens' best interests?
- Are policyholders protected if their insurer collapses?
- How does TIRA monitor the insurance industry?
- How important is TIRA to citizens and the government?

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



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

Total score: 12/20

## 7. TANZANIA NATIONAL PARKS

### CATEGORY 1: WEBSITE ANALYSIS

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

This website is very appealing and contains information about their work. However, there is no information on budgets and expenditures reports. The information is available in more than 60 languages, including Swahili. Tanzania National Parks has an active Facebook page and X account.

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

Total score: 17/20

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Tanzania National Parks (TANAPA) :

- What does your organisation do to ensure the safety of tourists and their property?
- There have been campaigns to encourage and promote local tourism. To what extent have they been successful?
- What are the main challenges to tourism in the country?
- What is TANAPA doing to promote Tanzania's national parks worldwide?
- To what extent is poaching a problem in Tanzania, and what measures are in place to combat this?

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

Total score: 0/20

## 8. TANZANIA STUDENT LOAN BOARD

### CATEGORY 1: WEBSITE ANALYSIS

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

The Tanzania Student Loan Board website is in Swahili and does not contain much information. No social network accounts are mentioned.

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

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

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Tanzania Student Loan Board:

- How do you ensure the Tanzania Student Loan Board handles all students fairly?
- Why is the Tanzania Student Loan Board only vibrant during certain times of the year?
- Does the Tanzania Student Loan Board have programmes in high schools to explain funding possibilities to students? And if yes, how many are organised annually?
- Is there any process to follow if a student needs your help/services?

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

**Total score: 13/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Bank of Tanzania	14	0	14
2. National Health Insurance Fund	11	16	27
3. Tanzania Communication Regulatory Authority	20	17	37
4. Tanzania Forest Services Agency	18	6	24
5. Tanzania Investment Centre	14	8	22
6. Tanzania Insurance Regulatory Authority	12	12	24
7. Tanzania National Parks	17	0	17
8. Tanzania Student Loan Board	14	13	27

## RESEARCH CONCLUSION

ATI by the public in Tanzania is still constrained despite advancements in technology. The Media Service Act of 2016 and other laws restricting ATI are yet to be repealed, along with other laws such as the National Security Act of 1970 and the Civil Service Act of 1989. Unnecessary bureaucracy is the most common hindrance to ATI from the government and its institutions.

Researchers had to go through long channels to get information. This poses a significant issue for journalists, who often need timely information to meet tight deadlines. To obtain information from the government, they must write a letter to a permanent secretary in a ministry, even though all these offices have information officers on their payrolls.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN TANZANIA

Although the Bank of Tanzania has an active website and Facebook page, they did not respond to the information request.

**Therefore, the winner of the 2023 Golden Padlock Award is the Bank of Tanzania.**



### THE MOST OPEN PUBLIC ORGANISATION IN TANZANIA

The Tanzania Communication Regulatory Authority stood out as they were responsive to information requests and showed courtesy. The officials were welcoming and friendly, from the gatekeeper to the front desk and registry people.

**Therefore, the winner of the 2023 Golden Key Award is the Tanzania Communication Regulatory Authority.**

## RECOMMENDATIONS

Implementing the following could significantly enhance transparency, accountability, and citizen engagement in Tanzania, improving governance and overall societal development:

- **Centralised online portal:** Establish a dedicated online portal on the official government website that provides easy ATI on government activities. Timely updates will inform citizens and stakeholders about the government's efforts to enhance transparency and governance.

- **User-friendly formats:** Present information in user-friendly designs that are easy to understand for both experts and the general public. Use language, infographics, and interactive tools to convey complex information effectively.
- **Engagement with civil society:** The government should collaborate with local civil society organisations, academia, and research institutions to improve ATI, transparency and accountability.
- **Public awareness campaigns:** Launch awareness campaigns to inform citizens about the existence and importance of the right to information in improving governance and democracy.
- **Feedback mechanism:** Establish a feedback mechanism on ATI that allows users to provide input, suggestions, and questions, fostering engagement and accountability.
- **Multilingual content:** Provide information in multiple languages commonly spoken within Tanzania to ensure that a broader range of citizens can access and understand the content.
- **Whistleblower protection:** Strengthen whistleblower protection laws and mechanisms to encourage individuals to report corruption or lack of transparency without fear of retaliation
- **Multi-stakeholder collaboration:** Foster collaboration between the government, private sector, civil society, and international organisations to collectively address transparency challenges and share best practices.



# ZAMBIA

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa

# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

In September 2022, the Zambian government provided a roadmap to stakeholders indicating that by 16 May 2023, the Information and Media Minister would have introduced an approved ATI Bill in Parliament. On 4 February 2023, Information and Media Minister Chushi Kasanda reiterated that the Zambian cabinet had agreed to enact the ATI Bill by June 2023.

However, in June 2023, Permanent Secretary Kennedy Kalunga said he could not determine how soon the ATI Bill would be enacted into law. This heightened fears that the government was making false promises about the proposed law.

Throughout various presidencies, Zambia has witnessed a variety of contradictory and even comical explanations of the ATI law process. In the past decade, there have been several such pronouncements by the government indicating intention to enact the ATI Bill into law.

When he was elected in 2021, President Hakainde Hichilema sparked new hope that the ATI law would be enacted. Hichilema committed to giving Zambians an ATI law when his United Party for National Development (UPND) was in opposition. He has reaffirmed his government's commitment towards the same after assuming office as Zambia's seventh president.

In his 2021 World Press Freedom Day message to media practitioners, Zambia's Hichilema expressed commitment to enacting the ATI law. The official opening of the first session of the 13th National Assembly on 10 September 2021 was another platform through which Hichilema reaffirmed this commitment.

The law on ATI is critical for enhancing transparency, accountability and the role of the media, all of which are essential in a democracy. Further, such a law could help to alleviate vices such as corruption, which thrive in an environment of secrecy.

## RATIONALE AND RESEARCH PARAMETERS

### AIM OF THE STUDY

The research sought to assess the levels of transparency of select public organisations in Zambia. Ten organisations were surveyed between 22 and 30 June 2023.

### OBJECTIVES OF THE STUDY

- To determine which public organisations provide information to citizens upon request, timeously and with relative ease.
- To determine which public organisations utilise online platforms to promote ATI.

### RESEARCH METHODOLOGY

The research adopted qualitative and quantitative data collection methods and sought to evaluate the level of public ATI held by government and public organisations. This research was done by evaluating the websites of government and public organisations along with submitting written requests for information. This method sought to establish the transparency and efficiency of government and public organisations in providing information to the public.

### ORGANISATIONS SURVEYED

The following public organisations were surveyed:

1. Anti-Corruption Commission
2. Disaster Management and Mitigation Unit
3. Energy Regulation Board
4. Independent Broadcasting Authority
5. Ministry of Education
6. Ministry of Health
7. Ministry of Mines and Mineral Development
8. National Pension Scheme Authority
9. Patents and Companies Registration Agency
10. Zambia Revenue Authority

## SUMMARY OF KEY FINDINGS

The findings show that disseminating information by public organisations in Zambia, based on requests from ordinary citizens, is a challenge. The surveyed institutions were possibly unsure about using the information and feared releasing it.

### Category 1: Website analysis

- Almost all the organisations surveyed have functional websites (except for the Disaster Management and Mitigation Unit, which does not have a website and utilises that of the Office of the Vice President).
- The information on the websites is user-friendly, which makes it easy for the public to find information.
- All the organisations are active on social media platforms, especially Facebook and X (formally Twitter), and frequently post updates.
- Although contact details are published, no details are provided for the specific officer or office responsible for information dissemination (except for the Energy Regulation Board, which has an email address for the public relations office).

### Category 2: Requests for information

- Most organisations immediately acknowledged the request for information and told the researcher that the appropriate office would respond.
- The first contact officers were not decision-makers in the release of information, as the researcher was referred to either the human resource office, public relations officer, research department or an analyst.
- Most request recipients initially showed enthusiasm in responding as the researcher had face-to-face interviews with them. However, despite promises to get in touch, they did not contact the researcher again.
- Four organisations did not respond to the requests for information.



# DETAILED FINDINGS

## 1. ANTI-CORRUPTION COMMISSION

### CATEGORY 1: WEBSITE ANALYSIS

<http://www.acc.gov.zm/>

The Anti-Corruption Commission has an active and easy-to-navigate website. It contains updated information about the commission's work, mandate, departments, and how one can report corruption. Its social media platforms (Facebook and X accounts) are active and regularly updated.

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

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Anti-Corruption Commission:

- How decentralised is the commission?
- How many cases did the commission investigate and successfully prosecute in 2023?
- How would you rate the support from members of the public in reporting corrupt practices?
- What measures has the commission put in place to ensure that whistleblowers are protected, and how effective are they?
- What is the status of court cases involving prominent people that have stalled?

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

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

**Total score: 8/20**

## 2. DISASTER MANAGEMENT AND MITIGATION UNIT

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.ovp.gov.zm/>

The Disaster Management and Mitigation Unit (DMMU) has no website but operates under the Office of the Vice President's website. However, it is very active on Facebook and X.

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

**Total score: 3/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Disaster Management and Mitigation Unit (DMMU):

- What kind of disasters does DMMU handle?
- In the 2022/2023 rainy season, many people were affected by flash floods in Zambia. Approximately how much did DMMU spend on efforts to manage this?
- Approximately how many flood victims did DMMU assist?
- What are some of the challenges the DMMU has faced in the last two years, and how has it handled them?
- What is the current human resource capacity of the DMMU in terms of numbers, and how widespread are your offices?

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

**Total score: 2/20**

## 3. ENERGY REGULATION BOARD

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.erb.org.zm/>

The Energy Regulation Board has a very active and easy-to-navigate website which contains updated information. Its social media platforms (Facebook and X accounts) are active and are regularly updated.

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

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

**Total score: 13/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Energy Regulation Board (ERB):

- Apart from the Lusaka office, how widespread is the ERB and do you have sufficient manpower compared to your regulatory mandate?
- What exactly is the role of ERB?
- How many oil marketing companies are licensed by ERB?
- What are some of the challenges ERB is currently facing?
- Some consumers say ERB's current fuel reviews are not very helpful in planning. What are your views?

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

**Total score: 10/20**

## 4. INDEPENDENT BROADCASTING AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.iba.org.zm/>

The Independent Broadcasting Authority has a website which is updated periodically. The authority is active on Facebook.

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

**Total score: 9/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Independent Broadcasting Authority (IBA):

- What is the mandate of the IBA?
- What are the requirements for one to obtain a broadcasting licence?
- How many broadcasting stations are licensed in Zambia?
- What are the compliance levels for broadcasting houses regarding the payment of annual operating fees?
- Does the authority have systems to monitor broadcasting companies in the country? If yes, how effective is this system?

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

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

**Total score: 2/20**

## 5. MINISTRY OF EDUCATION

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.edu.gov.zm/>

The Ministry of Education has an active website, which is updated regularly. It has a lot of information, such as current projects, how it is structured, and application procedures for scholarships under its Higher Education Loans and Scholarships Board. It has an active Facebook page.

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

**Total score: 14/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Education:

- What is the core mandate of the Ministry of Education in Zambia?
- What is the average pupil-teacher ratio in public schools?
- After employing 30,496 teachers last year, what measures have you implemented to further improve the teacher-pupil ratio in public schools?
- Several schools have been undergoing construction in various parts of the country, but work has stalled. Are there any plans to see them completed any time soon?
- What are some of the challenges that the ministry is facing?

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

**Total score: 2/20**

## 7. MINISTRY OF HEALTH

### CATEGORY1: WEBSITE ANALYSIS

<https://www.moh.gov.zm/>

The Ministry of Health has an active website, which is updated regularly. It has information such as its objectives and statutory bodies under its responsibilities. It has active Facebook and X accounts that are updated regularly.

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

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

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Health:

- What is the mandate of the ministry?
- What are some of the ministry's notable achievements in the past two years?
- There have been stories of drug pilferage in health institutions in the last few years. How has the ministry addressed this situation?
- How is the ministry addressing the challenge of shortage of equipment in health institutions?
- What are some of the challenges that the ministry is facing?

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

**Total score: 10/20**



## 7. MINISTRY OF MINES AND MINERAL DEVELOPMENT

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.mmmd.gov.zm/>

The Ministry of Mines and Mineral Development has an active website which is updated regularly. It has information such as its core services and projects. It has active Facebook and X accounts that are updated regularly.

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

**Total score: 12/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Mines and Mineral Development:

- What is the mandate of the ministry?
- There have been some concerns about safety in some mines in the country. What is the ministry doing about this?
- How decentralised is the ministry?
- How far is the review of the Mines and Minerals Acts 1995 to actualise the country's potential in the sector?
- How far has the ministry cleared the backlog of mining license applications?

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

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

**Total score: 2/20**

## 8. NATIONAL PENSION SCHEME AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.napsa.co.zm/>

The National Pension Scheme Authority has an active website, which is updated regularly. It is user-friendly with information such as procurement, careers, publications, and initiatives. It has active Facebook and X accounts that are updated regularly.

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

**Total score: 15/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the National Pension Scheme Authority (NAPSA):

- What is the mandate of NAPSA?
- How decentralised is NAPSA? Do you have a presence beyond provincial offices?
- How would you rate the compliance levels by employers in terms of NAPSA employee contributions?
- What are some of the current NAPSA investments?
- What are some of the challenges that the authority is facing?

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

Total score: 8/20

## 9. PATENTS AND COMPANIES REGISTRATION AGENCY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.pacra.org.zm/>

The Patents and Companies Registration Agency has an active website, which is updated regularly. It is user-friendly with information such as procurement, careers, publications, and initiatives. It has an active Facebook page and an X account which is not regularly updated.

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

n = 20	Yes	No	Partial	Additional information
5. Information on budget and expenditure?			X	There is no information on budgets and expenditures, but annual reports, including financial statements, are accessible.
6. Information about procurement procedures or signed contracts?			X	Tenders are published on the page, but signed contracts are not.
7. Information about vacancy and employment procedures?	X			
8. The address, telephone number, and working hours of the organisation?	X			The website has addresses of its provincial and district offices.
9. The contact details of specific public officials?			X	It only has an email address for the public relations office.
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			

**Total score: 17/20**

## CATEGORY 2: REQUEST FOR INFORMATION

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

- How many companies did PACRA register in 2022?
- What type of companies does PACRA register?
- What are the processes for registering a company with PACRA?
- Why do people pay for name clearance at PACRA?
- What are some of the challenges faced by the agency?

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

**Total score: 10/20**

## 10. ZAMBIA REVENUE AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.zra.org.zm/>

The Zambia Revenue Authority has an active website, which is updated regularly. It has information such as procurement, career and tax information. It has an active Facebook page and an X account which is not regularly updated.

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

**Total score: 11/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the ZRA:

- What is the average revenue from mining companies to the Zambian government coffers in terms of tax per year?
- How much revenue does ZRA collect as duty tax per month?
- What other services does the ZRA provide, and how can people access information about the authority?
- What are some of the penalties that one can incur for failing to pay tax?
- How can you rate the compliance levels regarding paying taxes by Zambian companies/institutions?

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

**Total score: 10/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Anti-Corruption Commission	11	8	19
2. Disaster Management and Mitigation Unit	3	2	5
3. Energy Regulation Board	13	10	23
4. Independent Broadcasting Authority	9	2	11
5. Ministry of Education	14	2	16
6. Ministry of Health	12	10	22
7. Ministry of Mines and Mineral Development	12	2	14
8. National Pension Scheme Authority	15	8	23
9. Patents and Companies Registration Agency	17	10	27
10. Zambia Revenue Authority	11	10	21

## RESEARCH CONCLUSION

The surveyed organisations scored badly in this Transparency Report, especially in the information request category.

All the surveyed organisations are active on social media, and interestingly, all of them have websites except for the Disaster Management and Mitigation Unit, which rides on the Office of the Vice President's website.

Almost all the organisations that acknowledged receipt of the request for information requested an introductory letter, which hinders information access for ordinary citizens.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN ZAMBIA

The Disaster Management and Mitigation Unit has an active Facebook page, but nothing is significant on the website, which is housed under the Vice President's office. There was no correspondence from this organisation in response to the request for information.

**Therefore, the 2023 Golden Padlock Award goes to the Disaster Management and Mitigation Unit.**



### THE MOST OPEN PUBLIC ORGANISATION IN ZAMBIA

Generally, the Energy Regulation Board, Ministry of Health, National Pension Scheme Authority, Patents and Companies Registration Agency performed well in both website and request for information categories. However, in terms of scoring, the Patents and Companies Registration Agency scored better than the others.

**Therefore, the 2023 Golden Key Award goes to the Patents and Companies Registration Agency.**

## RECOMMENDATIONS

- The government must expedite the enactment of the ATI legislation before various stakeholders and citizens begin to perceive this government in the same light as previous administrations that failed to enact right-to-information legislation.
- Public organisations should consider outlining procedures for information requests and details such as whom to address and publish.



# ZIMBABWE

TRANSPARENCY ASSESSMENT 2023

The citizens' analysis of government openness in Southern Africa



# TRANSPARENCY ASSESSMENT REPORT

## INTRODUCTION

Zimbabwe has recently repealed the Access to Information and Protection of Privacy Act (AIPPA), passed in 2002, and enacted the Freedom of Information Act in July 2020. This has led to the launch of new community radio stations and the establishment of community information centres. However, the cost of internet access has remained relatively high.

## SYNOPSIS OF THE FREEDOM OF INFORMATION ACT AND GENERAL REGULATIONS

The Freedom of Information Act gives effect to the right of access to information (ATI) as provided by the constitution. Subsequently, the Freedom of Information General Regulations were promulgated in September 2021 and came into force in March 2022.

These regulations obligate entities to publish information on their institutions within six months of enacting the regulations and, for those established after the enactment, within six months from the entity's establishment date.

Information to be published includes the institution's functions, departments and agencies, operating hours, business addresses, and a description of the nature or subject of the information that the entity holds. Entities must also appoint information officers to handle information requests and track all applications.

The Zimbabwe Media Commission, following the enactment of FOIA, conducted a series of sensitisation meetings on the Act that targeted representatives from public institutions. It also issued compliance orders to public institutions to release information to citizens. These compliance orders have the same force as a High Court order.

However, Zimbabwe has also enacted legislation that has a clawback effect on the progressive provisions of the Freedom of Information Act, such as Section 164(C) of the Cyber and Data Protection Act, which criminalises the transmission of false data messages. This promotes self-censorship, particularly among journalists. Some journalists, such as Wisdom Mdzungairi and Desmond

Chingarande from Alpha Media Holdings and freelance reporters Hope Chizuzu and Thembelihle Mhlanga, were recently charged with transmitting false data messages and cyberbullying.

Zimbabwe passed the Patriot Act in July 2023, an amendment to the Criminal Law (Codification and Reform) Act. This legislation is expected to restrict the civil space in the country further. The Private Voluntary Organisations Amendment Bill is now in the final stages of being enacted and will also limit democratic space. These laws reverse the progress made by passing the Freedom of Information Act.

When compiling this report, Zimbabwe was preparing for elections, and other indicators showed the state of ATI was not ideal. These include the failure of the Zimbabwe Broadcasting Corporation to provide balanced and fair coverage to all political interests as recommended by various election observer reports and the High Court of Zimbabwe following the last election in 2018.

## ESTABLISHMENT OF COMMUNITY INFORMATION CENTRES

The government of Zimbabwe, through the Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) under the Universal Services Fund (USF), commissioned 170 community information centres out of a target of 202. POTRAZ, in its first quarter abridged report of 2023, reported that the total number of active internet and data subscriptions stood at 9.9 million as of 31 March 2023, with VSAT once more recording the biggest growth in subscriptions. The growth has been attributed to the new deployments under the community networks project (establishment of community information centres). While this is commendable in bridging the urban-rural digital divide, it is also imperative to note that many reports and articles have cited the underutilisation of commissioned CICs. Some contributing factors identified are lack of equipment, poor connectivity, unstable networks and poorly trained staff.

# RATIONALE AND RESEARCH PARAMETERS

## AIM OF THE STUDY

This survey targeted ten public organisations to ascertain how responsive they were to information inquiries by the public. The survey was carried out from May to July 2023.

## OBJECTIVES OF THE STUDY

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

## RESEARCH METHODOLOGY

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

## ORGANISATIONS SURVEYED

The following organisations were surveyed:

1. Judicial Service Commission
2. Kusile Rural District Council
3. Lupane Local Board
4. Ministry of Primary and Secondary Education
5. Ministry of Women Affairs, Community, Small and Medium Enterprise Development
6. Mutare City Council
7. Postal and Telecommunications Regulatory Authority of Zimbabwe
8. Zimbabwe Anti-Corruption Commission
9. Zimbabwe National Water Authority
10. Zimbabwe Women's Microfinance Bank

## SUMMARY OF KEY FINDINGS

MISA Zimbabwe leveraged the human-centred approach by placing representatives of

community-based organisations (CBOs), citizens and journalists under the ATI Zimbabwe Campaign at the centre of the assessment. The stakeholders requested information from ten public institutions. The research was conducted and monitored in adherence to the Freedom of Information Act provisions guided by the General Regulations. Online platforms, including websites and social media platforms, were also observed.

### Category 1: Website analysis

- All three municipalities assessed do not have websites. Only one (Mutare City Council) has active social media platforms.
- Most websites are compatible with mobile devices, the device of choice for most citizens accessing the internet.
- An improvement was noted in digital mix use as most institutions use multiple media channels (social media, email and websites).
- Public institutions should consider website localisation so that services are offered in local languages to cater for all citizens.

### Category 2: Requests for information

- Two institutions invited the researchers to one-on-one meetings, where they shared the information requested.
- Three of the ten information request responses were in Shona and isiNdebele.
- Five out of ten institutions did not grant the requests for information.
- Some of the institutions surveyed did not respond to the requests for information.
- Many public institutions do not have designated information officers. Applicants were referred from one department to another before the appropriate department handled the requests. Sometimes, researchers were requested to leave requests at reception or with security personnel.
- Most institutions demonstrated unfamiliarity with the Freedom of Information Act by failing to comply. They showed a reluctance to use the law for fear of reprisals. Some CBOs were reluctant to litigate or escalate issues with the Zimbabwe Media Commission.
- One is likely to get a somewhat better response from institutions if they are a journalist/media practitioner instead of an ordinary citizen seeking information.

# DETAILED FINDINGS

## 1. JUDICIAL SERVICE COMMISSION

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.jsc.org.zw/>

The website's home page is heavily loaded with unsegmented information. However, the content is up-to-date, and the website is also mobile-friendly with a responsive design, which automatically scales and reformats to fit smaller screens. The website can only be accessed through its former title page, the High Court of Zimbabwe. The commission has active X (formerly Twitter) and Facebook accounts that are periodically updated.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			Yes, however, most of the information is stacked on the home page.
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?			X	The website has the following organograms: JSC Secretariat, JSC Department Structures, JSC Commissioners, and overall JSC Structure. However, these do not cite functions and responsibilities.
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			Most policies, reports and programmes can be accessed via the home page, while some can be found under the Media tab.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		Although there is a Tenders tab on the home page, there is no information.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	Contact details of various courts in Zimbabwe are listed. The working hours and address are only given on the Facebook page.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		The portal does not have a feedback platform.

**Total score: 8/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following request was sent to the Judicial Services Commission:

- As part of the National Development Strategy 1 (NDS1) and the Judicial Service Commission policy of taking the justice delivery system to the people by incorporating the Integrated Case Management System through virtual courts:

- What plans are in place to improve accessibility for people with disabilities, people without internet connectivity and people without suitable devices?
- Are only particular cases tried through the virtual courts, or can anyone request such? How does it work?
- How many cases have been tried through virtual courts since this was launched in February?
- What can organisations such as ours do to popularise virtual courts?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?			X	Within 14 days, the institution met with the CBO representative seeking clarity.
3. Did the organisation respond to the request for information?			X	
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		The requested information has not yet been shared.
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		The request has not been granted.
9. Did the organisation acknowledge the request for information within 7 days?	X			Receipt of the request was received within 24 hours.
10. Was the information received clear and understandable?		X		The requested information has not yet been granted.

**Total score: 6/20**

## 2. KUSILE RURAL DISTRICT COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

<http://kusileruraldc.blogspot.com/>

Kusile Rural District Council has a blog, which was last updated in 2015. It also has Facebook, X and Instagram accounts. All the social media platforms were last updated in 2021.

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

n = 20	Yes	No	Partial	Additional information
4. Copies of reports, policies or programmes?		X		
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		Tenders are posted online but they have not been published since 2021.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?			X	The Facebook page has the working hours, physical address and contact details. However, the information was updated two years ago.
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?		X		

**Total score: 1/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following question was sent to Kusile Rural District Council:

- Please share the full minutes of the past four council meetings.

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

**Total score: 2/20**

### 3. LUPANE LOCAL BOARD

#### CATEGORY 1: WEBSITE ANALYSIS

##### No website

The Lupane Local Board has no website but does have a Facebook page created on 12 May 2020. The page only has contact details, physical address and working hours. The board is featured on the website of the Urban Council Association of Zimbabwe (UCAZ).

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

**Total score: 1/20**

#### CATEGORY 2: REQUEST FOR INFORMATION

The following request was sent to the Lupane Local Board:

- Please share the minutes of the last full board meeting held in May 2023.

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

n = 20	Yes	No	Partial	Additional information
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		The authority did not respond to the request for information.
9. Did the organisation acknowledge the request for information within 7 days?		X		The letter was stamped.
10. Was the information received clear and understandable?		X		The information request was not granted.

**Total score: 2/20**

## 4. MINISTRY OF PRIMARY AND SECONDARY EDUCATION

### CATEGORY 1: WEBSITE ANALYSIS

<http://mopse.co.zw/>

The website is updated periodically and is easy to navigate, but it lacks information on the ministry's organisational structure. The tabs on the procurement management unit, finance department, administration and internal audit unit are blank. The institution has an active X presence, but the Facebook page was last updated in 2017.

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

**Total score: 6/20**

### CATEGORY 2: REQUEST FOR INFORMATION

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

- Following the gazetting of the Education Amendment Act (2020), which outlaws the exclusion of girls in elementary learning institutions:
  - What measures are in place to ensure effective re-entry in cases where family support structures are non-existent?

- Has the ministry implemented structural entrenched support services? If so, kindly share the support services in place.
- Is a monitoring and evaluation system in place to ensure schools accommodate pregnant students and adolescent mothers and do not turn away students who cannot pay indirect school costs?

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

**Total score: 0/20**

## 5. MINISTRY OF WOMEN AFFAIRS, COMMUNITY SMALL AND MEDIUM ENTERPRISE DEVELOPMENT

### CATEGORY 1: WEBSITE ANALYSIS

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

The website is easy to use and contains various bits of information. It has a chat box linked to the ministry's WhatsApp and email address. However, the WhatsApp link is invalid, and the website does not have a search function. The institution has a vibrant social media presence, with accounts on LinkedIn, Facebook and X, which are updated regularly.

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



n = 20	Yes	No	Partial	Additional information
6. Information about procurement procedures or signed contracts?			X	It has a Tender tab, which only has information on the Chirundu Traders Market.
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			The working hours are not listed, but the portal has decentralised physical addresses, contact details, and contact persons from province to district level.
9. The contact details of specific public officials?		X		The links do not work.
10. A mechanism to request and receive responses to electronic messages and requests for information?			X	It has a mechanism to receive a response through an email address. The live chat WhatsApp link is invalid.

**Total score: 12/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Ministry of Women Affairs, Community Small and Medium Enterprise Development:

- Please share a copy of the draft Gender Policy and Gender-Based Violence Strategy.
- How can young women, including those with disabilities, contribute to the strategy and policy?
- How can organisations like ours partner with your ministry in seeking input from young women and popularising the strategy and policy?

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

**Total score: 2/20**

## 6. MUTARE CITY COUNCIL

### CATEGORY 1: WEBSITE ANALYSIS

#### No website

Although Mutare City Council does not have a website, it has vibrant social media accounts (Facebook and X) that are regularly updated. The council is featured on the website of the Urban Councils Association of Zimbabwe (UCAZ).

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

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Mutare City Council:

- Please share information on the last term budget and how the funds were spent.
- How much did the City of Mutare get from the Devolution Fund, and what funds were allocated?
- What is the current stage of the urban renewal project? Who is spearheading the project, and how much have they invested?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			The public relations officer received the request.
2. Did the organisation reply within 21 days?	X			
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?	X			They shared the 2023 budget process feedback report.
6. Did the organisation provide written reasons for the refusal of information?	X			The request for information was granted.

n = 20	Yes	No	Partial	Additional information
7. Did the organisation disclose information about its operations, budgets, structure, etc.			X	The institution disclosed information on the 2022 budget allocation, the 2023 approved budget and the expenditure projections.
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			
10. Was the information received clear and understandable?	X			

**Total score: 17/20**

## 7. POSTAL AND TELECOMMUNICATIONS REGULATORY AUTHORITY OF ZIMBABWE

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.potraz.gov.zw/>

The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) has a well-established and updated (in some sections) website and vibrant LinkedIn, X and Facebook accounts. This is an improvement on previous Transparency Report findings.

Notable from the portal are sections on:

- The Data Protection Authority: The Data Protection Act, the lodging of a complaint procedure and the online mechanism to lodge a complaint. There is also a similar structure under the Consumer Affairs tab.
- The licensing information, application forms and application fees.

However, the information is not dated, making it difficult to determine whether it is up-to-date (for example, the application fees). The website also provides little information on agreements and contracts. Bearing in mind that the Universal Service Fund is vested in the regulatory authority, there is a need to update sections on procurement procedures and operation and USF-funded projects /programmes.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?			X	
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?	X			
4. Copies of reports, policies or programmes?	X			
5. Information on budget and expenditure?			X	
6. Information about procurement procedures or signed contracts?		X		There is only information on tenders.
7. Information about vacancy and employment procedures?		X		The tab on vacancies does not open.
8. The address, telephone number, and working hours of the organisation?			X	The information is only available on the Facebook page.
9. The contact details of specific public officials?		X		

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

**Total score: 9/20**

## CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to POTRAZ:

- A community in Matobo Ward 15 does not have cellphone reception/network, and the community members have to climb mountains (risking their lives) to access the network. We seek to access information on:
  - What plans does POTRAZ have to assist such a community with better network coverage?
  - What mechanisms are in place to ensure that all rural communities of Zimbabwe with reception problems such as this one can access cell phone coverage?
  - Which rural communities with network challenges are in the POTRAZ action plan within the year?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?		X		The regulator highlighted that they do not have an information officer.
2. Did the organisation reply within 21 days?		X		
3. Did the organisation respond to the request for information?		X		
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		The authority did not respond to the request for information.
9. Did the organisation acknowledge the request for information within 7 days?		X		The information request letter was stamped.
10. Was the information received clear and understandable?		X		The request for information was not granted.

**Total score: 0/20**

## 8. ZIMBABWE ANTI-CORRUPTION COMMISSION

### CATEGORY 1: WEBSITE ANALYSIS

<http://zacc.co.zw/>

The Zimbabwe Anti-Corruption Commission has a website. However, it does not contain much information.

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

**Total score: 0/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to the Zimbabwe Anti-Corruption Commission:

- Is there an increase or decrease in reported corruption cases?
- What is the nature of reported corruption cases?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			The commission responded within 14 days.
3. Did the organisation respond to the request for information?	X			The commission said the researcher could get the information from their interactive meetings.
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?	X			

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

**Total score: 14/20**

## 9. ZIMBABWE NATIONAL WATER AUTHORITY

### CATEGORY 1: WEBSITE ANALYSIS

<http://zinwa.co.zw/>

The website is basic and easy to navigate. It lists the working hours of the authority. Only the Dam Levels tab is updated regularly. The Projects tab does not have information on the projects being implemented. Instead, there are pictures with no captions. The portal also has the water connection application form and the online client feedback form, which can also be used as the complaint or request form.

The authority has vibrant social media platforms with Instagram, LinkedIn, X and Facebook accounts.

n = 20	Yes	No	Partial	Additional information
<b>Does the website contain the following:</b>				
1. Up-to-date information?	X			
2. A description of the organisation's powers and structure, as well as its functions and responsibilities?	X			
3. A list of laws, acts, etc, issued within the scope of its powers?			X	The portal does not have a standalone section with a list of laws; nonetheless, some laws are listed in the board charter and client service charter (under the About Us corporate governance tab).
4. Copies of reports, policies or programmes?			X	The site only has one Annual Integrated Report from 2021. However, it also has the current (2023) Agency Whole of Government Performance Management System Report: Period 2023.
5. Information on budget and expenditure?		X		
6. Information about procurement procedures or signed contracts?		X		
7. Information about vacancy and employment procedures?		X		
8. The address, telephone number, and working hours of the organisation?	X			This is the only institution with working hours displayed on the website. It also has a decentralised catchment area and contact details.

n = 20	Yes	No	Partial	Additional information
9. The contact details of specific public officials?		X		
10. A mechanism to request and receive responses to electronic messages and requests for information?	X			A 24/7 call centre, a WhatsApp platform and a client feedback register.

**Total score: 10/20**

## CATEGORY 2: REQUEST FOR INFORMATION

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

- Section 328 of National Development Strategy 1 (NDS1) targets drilling 35,000 boreholes nationally in rural areas. We would like to know:
  - How many boreholes have been drilled as of 31 May 2023 per each district in Zimbabwe?
  - What is the current number of functional boreholes in the country per district?
  - What mechanisms are in place to prevent the over-draining/depletion of the underground water due to the 35,000-borehole drilling target?
  - What financing mechanisms are in place to ensure the maintenance of the boreholes drilled under NDS1?

n = 20	Yes	No	Partial	Additional information
1. Is there an official, who is designated to take and respond to information requests?	X			
2. Did the organisation reply within 21 days?	X			The request was granted within seven days.
3. Did the organisation respond to the request for information?	X			
4. Does the organisation publish their procedures for handling information requests?	X			Yes, under the client service charter (About Us corporate governance tab).
5. Did the organisation provide all of the requested information?	X			
6. Did the organisation provide written reasons for the refusal of information?	X			The request for information was granted.
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?	X			
9. Did the organisation acknowledge the request for information within 7 days?	X			Yes, through a telephone call.
10. Was the information received clear and understandable?	X			

**Total score: 18/20**

## 10. ZIMBABWE WOMEN'S MICROFINANCE BANK

### CATEGORY 1: WEBSITE ANALYSIS

<https://www.womensbank.co.zw/corporate-overview/>

The website is easy to operate. The bank also has vibrant social media platforms with Facebook, LinkedIn, Instagram and X accounts.

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

**Total score: 12/20**

### CATEGORY 2: REQUEST FOR INFORMATION

The following questions were sent to Zimbabwe Women's Microfinance Bank:

- How many projects have been supported by the bank in the past two years (2021-2022) by age, gender, disability and geographical location?
- How much was allocated to the bank in the national budget in 2021, 2022 and 2023?
- Were there any discrepancies between the amount allocated and that which was disbursed?
- What is the process of getting a loan from the Zimbabwe Microfinance Bank?
- Can a group or an organisation apply?
- What can an organisation like ours do to help popularise the bank's services?

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



n = 20	Yes	No	Partial	Additional information
4. Does the organisation publish their procedures for handling information requests?		X		
5. Did the organisation provide all of the requested information?		X		
6. Did the organisation provide written reasons for the refusal of information?		X		
7. Did the organisation disclose information about its operations, budgets, structure, etc.		X		
8. Did the authority provide information without questioning the aims and motivations of the applicant?		X		The request was not granted.
9. Did the organisation acknowledge the request for information within 7 days?		X		
10. Was the information received clear and understandable?		X		

**Total score: 2/20**

## SUMMARY

Organisation	Website	Request for information	Total score
1. Judicial Service Commission	8	6	14
2. Kusile Rural District Council	1	2	3
3. Lupane Local Board	1	2	3
4. Ministry of Primary and Secondary Education	6	0	6
5. Ministry of Women Affairs, Community Small and Medium Enterprise Development	12	2	14
6. Mutare City Council	0	17	17
7. Postal and Telecommunications Regulatory Authority of Zimbabwe	9	0	9
8. Zimbabwe Anti-Corruption Commission	0	14	14
9. Zimbabwe National Water Authority	10	18	28
10. Zimbabwe Women's Microfinance Bank	12	2	14

## RESEARCH CONCLUSIONS

Despite the enactment of the Freedom of Information Act, most public institutions scored poorly, with an average of 13. This reflects either an unawareness of the new law's provisions or a reluctance to comply. Training and awareness programmes must be escalated to familiarise citizens and public institutions with the FOIA. It is also necessary to escalate litigation against non-complying public institutions to raise awareness about the law and enforce accountability.

The following institutions were also assessed in the previous report (2020 Transparency Assessment Report):

- Mutare City Council in 2020 had 12 points; this year, it has gained five points with only notable improvements in its response to information requests.
- The Ministry of Women's Affairs scored 12 points in 2020. It has gained 2 points in this assessment.
- The Ministry of Primary and Secondary Education scored 25 points in 2020. This year, the ministry scored only 7 points. The loss is due to the information request which was not granted.



### THE MOST SECRETIVE PUBLIC ORGANISATION IN ZIMBABWE

The Lupane Local Board does not have a website, and its Facebook page was last updated in 2020. They did not acknowledge the request for information.

**Therefore, the 2023 Golden Padlock Award goes to the Lupane Local Board.**



### THE MOST OPEN PUBLIC ORGANISATION IN ZIMBABWE

The Zimbabwe National Water Authority has an up-to-date and easy-to-navigate website. The authority has vibrant social media platforms with Instagram, LinkedIn, X and Facebook accounts. The request for information was granted within 7 days.

**Therefore, the 2023 Golden Key Award goes to the Zimbabwe National Water Authority.**

## RECOMMENDATIONS

Public institutions should:

- Proactively disseminate information and seek citizen feedback to transform the relationship between citizens and governments.
- Establish a one-stop information hub, which could be merged with the Official Government of Zimbabwe Web Portal.
- Publish their procedures for handling information requests.
- Encourage a culture of openness and transparency by reactively and proactively sharing information.
- Be trained to understand the law and the obligations to provide ATI.
- Repeal or amend some laws, such as the Cyber and Data Protection Act.

