

THE ACCESS TO INFORMATION PROJECT: AN OVERVIEW.

PRESENTED AT A DISSEMINATION WORKSHOP FOR
CIVIL SOCIETY ACTORS.

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Introduction

These findings are based on a two year national research on access to Information, a project code named the Access to Information in Africa Project, “ATI in Africa Project” jointly implemented in 3 African countries namely Ghana, South Africa and Uganda.

The research was conducted by the Open Democracy and Advisory Centre (ODAC)-S. Africa, the Centre for Democracy and Development (CDD) – Ghana, Greenwatch in Uganda in partnership with the World Resources Institute of Washington D.C.



Purpose of the research

This research aims at assisting citizen groups, the public, policy makers and private institutions, legal and policy makers as well as government institutions and agencies charged with ensuring that ATI is made available, better understand transparency models and ATI best practices so that decision making processes are accountable and responsive to the public.



Research Questions

Categorised into 2 themes:

- Category I: Transparency models
- Category II: Sectoral approaches and contributions



Theme 1: Transparency Models

- Which transparency models enable the exercise of the right of access to information in Uganda?
- *Practice:* Are there alternative routes to promoting transparency in Uganda outside the legal framework?
- What are the conditions that exist for their success?.



Theme 2: Sectoral Approaches

- What is the make-up of the transparency infrastructure for natural resources - land, oil, minerals, forests, and water in Uganda?
- How have sectoral approaches contributed to or obstructed the development of transparency infrastructure, especially ATI laws in Uganda?.



Four sub-sectors were reviewed

- Petroleum/oil and gas
- Environment
- Forestry
- Minerals

Four categories of people were selected to request for information

- A student
- NGO representative
- Journalist
- Poor person



Methodology

- Methods meetings : to train researchers
- Interviews: face to face and written
- Citizen requests
- Case studies on ATI
- Legal Review and analyses of framework laws:
Constitution and ATI Act.
- Legal review and analyses-other key legislation e.g.
Natural Resource laws with relevance to ATI.



- Requests were made under both the ATI and sectoral legislation.
- Individual experiences of requestors were documented.
- A total of forty eight requests were made for each sub-sector.
- In the environment sub-sector for instance, three different institutions were visited including NEMA, Wetlands Management Department, Directorate of Environment Affairs in the Ministry of Water and Environment.
- Under the minerals sub-sector, the Ministry of Energy, Department of Geological Surveys and Mines, and the National Planning Authority were visited.
- Under oil and natural gas, the researchers visited the Petroleum Exploration and Production Department, Ministry of Finance, Planning and Economic Development and UWA.
- Under forestry, NFA, UWA, as well as the public information centre were visited.



Case studies

- Four case studies were selected for this research. The case studies were chosen from the period before and after the enactment of the ATI Act.

Review of court cases

- Court cases with relevance to ATI were reviewed and analysed.
- The court cases are descriptive summaries of cases where courts have interpreted or enforced Constitutional law and ATI laws in Uganda.



Institutional Assessment.

An assessment on institutions was conducted to:

- collect data on the internal systems and mechanisms on accessing or tracking information
- study how records are managed
- study how agencies address complaints from the public.
- study existing procedures for the government agencies to meet their obligations with respect to the Access to Information law and any sectoral provisions on access to environmental information.



Timeline on access to information in Uganda

- The timeline is an analysis of key events, laws, cases and decisions that have set precedent in relation to Access to information and its implementation in Uganda.
- The timeline highlights the impact political action such as regime changes, have had on access to information in Uganda as well as precedent setting cases that have been filed by members of the public.
- The timeline can be accessed at <http://www.dipity.com/hbibz/Access-to-Information-in-Uganda/>



Data Analysis

- Qualitative data was collected.
- Organized basing on the themes that guided the research, grouped into different content categories.
- Information was tabulated in excel spread sheets and in Ms Word to allow for analysis.
- Data was closely examined and compared for similarities and differences.
- The information was presented in a narrative form citing examples from the field research to review trends.
- Pie charts were used to show percentages relating to the types of information granted or refused across requestors.



Review of natural resource practices / Pro-active release of Information

- A review was undertaken to ascertain whether information is released pro-actively by the government and if so, the avenues through which the particular type of information is released.
- The researchers visited government libraries, reviewed institutional reports including annual reports, performance reports, inspection reports among others in search for specific information.
- The researchers also reviewed government registers, institutional websites, the national gazette to ascertain whether the specific information is released pro-actively.



Annotated Bibliography

- The annotated bibliography is a documentation outlining an analysis of key findings of select literature and publications with relevance to ATI in Uganda.
- Documentation selected included peer reviews, research publications, papers and grey literature, academic research, and studies conducted by organizations and institutions.
- The analysed data was selected from the health, environment, education sectors, for as long as it correlates and is relevant to transparency.



ATI and sectoral procedures

- The procedures under the ATI law, the natural resource laws as well as any procedures regarding ATI in other laws were documented.
- This included describing the process of how a citizen should proceed to obtain information including what forms to fill out, what information to include in the form, accompanying documentation as well as any response that must be taken by the institution to respond.



THANK YOU FOR YOUR KIND
ATTENTION.

