



TANZANIA

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

## INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Title: "Right to Information Bill"**

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

### **Overriding effect on other laws**

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

Section 3(2) of the draft Bill provides:

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

### Maximum Disclosure

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

### Right to Access Information

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

### Appointment of Information Officers

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

### Duty to Publish Information

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

### Disclosure of Information of Public Interest

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

### New Institutions

This establishes new institutions that would be responsible for all issues relating to access to information. The Commission of Information was established with a mandate of implementing and supervising effective implementation of the law. The appointment procedure and qualifications of members of the

Commission and of the appointments' committee is laid down in the draft Bill. Another body proposed by the draft Bill is an independent stakeholders' forum.

## RATIONALE AND RESEARCH PARAMETERS

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

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

Selected Ministries included:

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

Selected agencies included:

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

## RESEARCH METHODOLOGY

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

## DATA ANALYSIS

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

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

## Description of Assessment Criteria

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

### Category 1: Website Analysis

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

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

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

### Category 2: Written Request/Oral Request

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

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

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

### Limitations of the Study

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

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

## Category 2: Request for Written and Oral Information

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

## SUMMARY OF KEY FINDINGS

### Category 1: Website Analysis

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

## DETAILED FINDINGS

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

#### CATEGORY 1: WEBSITE

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

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

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

**Total Score: 17/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the Parliament of Tanzania:

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

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

**Total Score: 6/20**

## 2. Ministry of Education and Vocational Training (MoEVT)

### CATEGORY 1: WEBSITE

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

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

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

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

**Total Score: 15/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to MoEVT:

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

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

**Total Score: 4/20**



### 3. Ministry of Energy and Minerals (MEM)

#### CATEGORY 1: WEBSITE

<https://mem.go.tz>

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

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

**Total Score: 18/20**

#### CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the MEM:

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

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



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

**Total Score: 4/20**

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

### CATEGORY 1: WEBSITE

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

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

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

**Total Score: 16/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

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

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

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

**Total Score: 4/20**

## 5. Ministry of Health and Social Welfare (MoHSW)

### CATEGORY 1: WEBSITE

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

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

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

**Total Score: 16/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to the MoHSW:

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

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

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

**Total Score: 2/20**

## 6. The Judiciary of Tanzania

### CATEGORY 1: WEBSITE

**www.judiciary.go.tz**

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

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

**Total Score: 12/20**

### CATEGORY 2: REQUESTS FOR INFORMATION

**The following questions were sent to the Judiciary of Tanzania:**

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

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

**Total Score: 2/20**

## 7. National Bureau of Statistics (NBS)

### CATEGORY 1: WEBSITE

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

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

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

**Total Score: 15/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

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

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

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

**Total Score: 18/20**

## 8. National Identification Authority (NIDA)

### CATEGORY 1: WEBSITE

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

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

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

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

**Total Score: 16/20**

## CATEGORY 2: REQUESTS FOR INFORMATION

The following questions were sent to NIDA:

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

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

**Total Score: 2/20**



## RESEARCH CONCLUSION

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

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

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

### THE MOST SECRETIVE PUBLIC INSTITUTION IN TANZANIA

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

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

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

### THE MOST OPEN PUBLIC INSTITUTION IN TANZANIA

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

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

## RECOMMENDATIONS

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

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

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