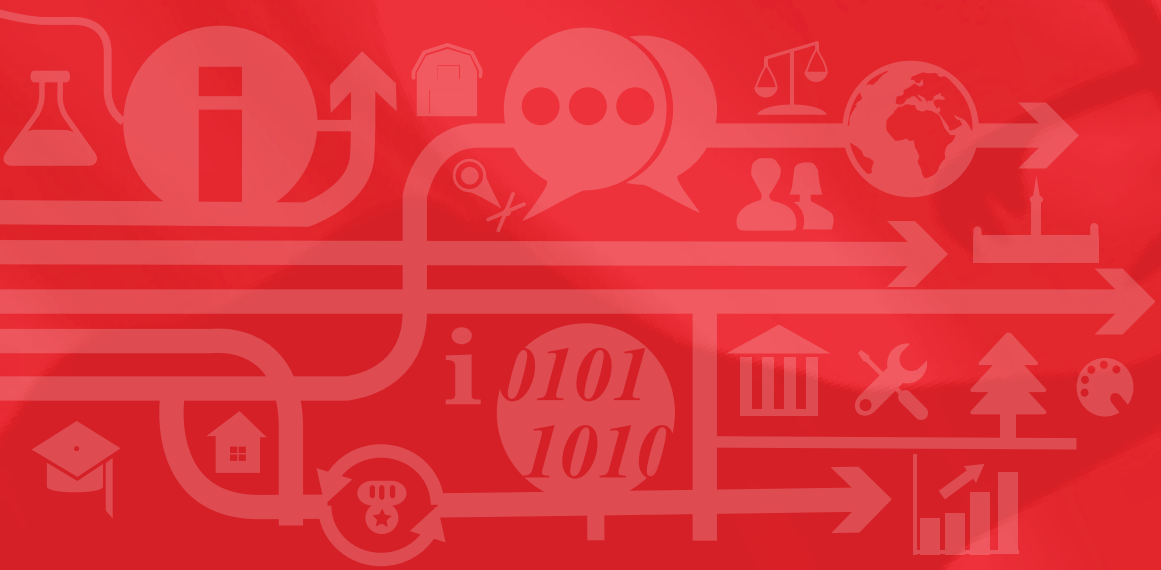
State of Open eGovernment Index in Uganda



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FOREWORD

The results in this report involved data gathering using a mix of methods. These included desk research, which involved a review of existing ICT legislation and regulatory instruments, online reports on eGovernment in Uganda, review of government and Civil Society Organisations (CSOs) websites. The findings from the desk research where presented to relevant stakeholders – including representatives from the Ministry of Information Communication Technology and National Guidance; National Information Technology Authority Uganda (NITA-U); CSOs and media in a validation workshop. Findings were also re-validated in a researcher's synthesis meeting held in March, 2017 in Bangkok, Thailand.

ACKNOWLEDGMENTS

This report has been produced by the Collaboration on International ICT Policy (CIPESA) with support from the Foundation for Media Alternatives, supported by the Making All Voices Count project. The report is part of the Open E-Governance Index project that aims to develop a quantitative tool to gauge the state of e-governance around the world. It piloted the framework and the methodology in several countries in Africa, Latin America, South Asia and Southeast Asia.

CIPESA recognizes feedback representatives from Directorate of E-Government Services at the National Information Technology Authority Uganda (NITA-U) for comments received during the drafting of this report.

1.0 COUNTRY BACKGROUND/OVERVIEW

Uganda is a landlocked country in East Africa with an estimate population of 36.6 million people in 2016. Since 2005, the country has been governed under a multi-party political system under the guidance of the 1995 Constitution. There are currently 29 registered political parties though only four have representation in parliament. In February 2016, Uganda went to the polls that saw the re-election of President Yoweri Museveni of the National Resistance Movement (NRM) for the fifth term in office, having come into power 1986 after his guerillas overthrew the government. However, similarto previous elections, the 2016 elections were marred with irregularities including voter and political opponents' intimidation, harassment, and alleged voter rigging. The 2016 elections also saw adoption of use of digital tools by political leaders in campaigning and voter engagement. Mostly, social media platforms such as Facebook, Twitter and YouTube became the preferred platforms for candidates to share their manifestos, communicate their campaign strategies and engage with voters.

According to the 2016 United Nations E-Government Survey, Uganda ranked 128 out of 193 countries with a score of 0.3599 compared to the 0.4922 global average in the E-Government Development Index (EGDI), an improvement of 28 points from its previous rank at 156 in 2014. In the E-Participation Index (EPI) and its utilisation by stages, Uganda was ranked 91 out of the surveyed 193 countries.[1] Meanwhile, in the Corruption Index of 2016, Uganda ranked 151 out of 176, a position it has held since 2015, making itone of the most corrupt countries in the world.[2] In terms of overall freedoms, Uganda is ranked as not free by Freedom House while Freedom of the Press and Freedom on the net indices rank it as partly free.

The government of Uganda has identified Information Communication Technology (ICT) as one of the key priority sectors that will spur socio-economic transformation in the country as stipulated in national development frameworks such as Vision 2040 and the National Development Plan II (2015/16 to 2019/2020). Some of the priority areas identified in the national development plan that runs up to 2020 include extension of the National Broadband Infrastructure (NBI) and construction of incubation hubs and ICT parks. The NBI connectsall major towns within Uganda onto an optical fiber based network and all governmentorganisations onto the e-government network.A total of 133 Government Ministries, Departments and Agencies (MDAs) sites have been connected to the NBI with 94 MDAs sites currently utilising internet delivered over the NBI.[3]

1 United Nations E-Government Survey 2016, http://workspace.unpan.org/sites/Internet/Documents/UNPAN96407.pdf

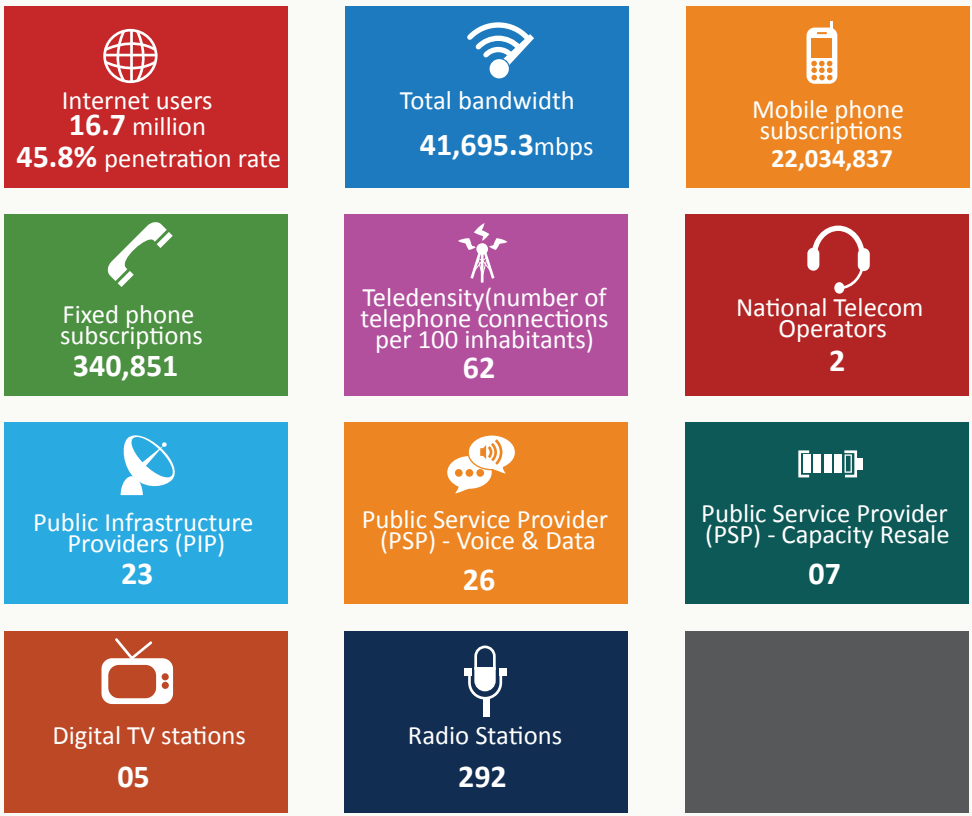
2 Transparency International, Corruption Perceptions Index 2016, http://www.transparency.org/news/feature/corruption_perceptions_index_2016

3 NITA-U Statistical Report, 2016, https://www.nita.go.ug/sites/default/files/publications/NITA-U%20Statistical%20Abstract%202016.pdf.

The average cost for a daily 10MB mobile Internet bundle is US$ 0.10 while a monthly 1GB bundle costs US$ 7-11 depending on the service provider. In terms of social media use, Facebook, Twitter and YouTube are the most used social media platforms, with Facebook taking the lead.[4]

In 2016, the International Telecommunications Union (ITU) ICT Development Index survey ranked Uganda 157th out of 175 countries surveyed with a score of 1.94 out of a possible score of 4.94 world value.[5] Uganda scored highest in ICT skills set and access and lowest in ICT use.[6] A summary of Uganda's ICT status is provided in Table 1.

TABLE 1 ICT STATUS IN UGANDA



Source: UCC, 2016[7]

5 *See: https://www.statsmonkey.com/sunburst/21491-uganda-mobile-social-media-usage-statistics-2015.php*

6 *ITU, ICT Development Index, 2016, Uganda, http://www.itu.int/net4/ITU-D/idi/2016/#idi2016countrycard-tab&UGA*

7 *See; ITU ID1 2016 Uganda Vs. World, http://www.itu.int/net4/ITU-D/idi/2016/#idi2016comparison-tab*

2.0 LEGAL AND POLICY BACKGROUND TO E-GOVERNANCE

Uganda's e-governance implementation is overseen by the National Information Technology Authority of Uganda (NITA-U) under the guidance of the Ministry of ICT and National Guidance. The ICT and National Guidance ministry, which was established in 2006, is guided by the National ICT Policy of 2014[8] and has identified adoption of E-government as one of its key policy objectives.In 2009, the NITA-U was established under the National Information Technology Act, 2009 with the mission to transform Uganda into a knowledge-based society by leveraging IT to enhance government services, empower citizens and enrich businesses. The Authority oversees the implementation of the National e-Government policy framework, National Information Security Framework and Strategy, andthe cyber security laws, and is in the process of developing an Open Standards Policy, Open Data Policy and Data Protection and Privacy law.

The National e-Government Policy 2011 seeks to "enhance and promote the efficiency and transparency in the functioning of government through the increased use of ICT for online service delivery to citizens and business.[9] An e-Government master plan has been developed where the National Enterprise Architecture plan is featured, and implementation is set to begin end of 2017.[10] At the moment, Uganda does not have a government interoperability framework/plan and both the Open Standards and Open Data Policies are in draft form. Only the Open Data policy, 2017 has been made available for public input.

Internet–based transactions are enabled by the cyber security laws adopted in 2011 –the Computer Misuse Act, E-Signatures Act and the E-Transactions Act. In 2013, regulations for the implementation of the E-Signatures and E-Transactions acts were adopted and in 2015, the NITA-U eGovernment regulations were adopted to promote eGovernance in Uganda.

The Access to Information Act, 2005 and its regulations adopted in 2011 provide for freedom and access to information. However, there is no data protection and privacy law in place. Drafting of the Data Protection and Privacy law began in 2014 and in 2016, a draft bill was tabled in Parliament but it is yet to be passed. Nonetheless, data protection and privacy is provided for under the access to information law as seen in Section 26, which prohibits "the unreasonable disclosure of personal information about a person, including a deceased individual."

8 National ICT Policy, 2014, Section 3 (3.2.2) https://www.ict.go.ug/sites/default/files/Resource/ICT_Policy_2014.pdf

9 National E-Government Framework, https://www.ict.go.ug/sites/default/files/Resource/National_E-Government_Policy_Framework_2011%20%282%29.pdf

10 Interview with a key informant from NITA-U, March 22, 2017

Other laws that provide for information security include the Computer Misuse Act, E-Signatures Act and the National Information Security Framework, 2011.[11] Section 18 (1) of the Computer Misuse Act 2011 and Section 81 of the Electronics Signatures Act 2011, prohibit illegal disclosure of any electronic data, record, book, register, correspondence, information, document or any other material in an individual's possession except for the purposes of these Acts and for law enforcement purposes.[12]

On the otherhand, the National Information Security Framework (NISF)[13] provides for establishment of a National Information Security Strategy (NISS) that describe the security risks of technological advance and the risk mitigation measures of such advancement.

11 National Information Security Strategy (NISS) 2011,
http://www.nita.go.ug/sites/default/files/publications/National%20Information%20Security%20Policy%20v1.0_0.pdf
12 See the Electronic Signatures Act, 2011, https://www.nita.go.ug/sites/default/files/Electronic-Signatures-Act.pdf
13 National Information Security Framework (NISF) Uganda,
https://www.nita.go.ug/sites/default/files/publications/National%20Information%20Security%20Policy%20v1.0_0.pdf

3.0 ANALYSIS OF UGANDA'S OPEN e-GOVERNANCE INDEX RESULTS

The Open e-Governance Index (OeGI) is an action-research project that aims to measure the state of 'openness' in the implementation of 'e-governance' around the world. Open e-governance can measured in terms of the ability of the different actors of the political system, including governments, business and civil society, to participate in decision-making in society through the use of information and communication technologies. While it will be implemented as a pure research project during the pilot phase, its hoped that future iterations of the project can allow it to be more action-oriented so that the findings under the research would enable ICT experts and advocates to push for policy and programmatic changes in the political environment.

The index comprised of the following:

1) **Meshed eGovernment** –the ability of governments to provide citizen centric online services.

2) **eParticiption channels** – new, digital medium for public participation

3) **Digital Inclusion** – Presence of policies and programs that support the public's wider use of ICT

4) **Fostering an enabling environment for open eGovernance** – extent that the government recognizes and fosters the right to freedom of expression, right over personal communication, cultural freedom and the use of local languages government's ability to place its public functions online, which comprises many aspects of ICT enablement.

The results of Uganda's Open e-Governance Index are shown in table 2 below. As per thetable, Uganda scored highest in digital inclusion at 1.00, followed by enabling and constraining environment at 0.78 then 0.39, 0.36 and 0.35 for ICT empowered civil society, eParticipation channels and meshed eGovernment respectively.

TABLE 2 OPEN eGOVERNANCE INDEX SCORES

Dimension	Score
Meshed eGovernment	0.35
eParticipation Channels	0.36
Digital inclusion	1.00
ICT Empowered Civil Society	0.39
Enabling & Constraining environment	0.78
Final Score	0.58

3.1 MESHED eGOVERNMENT

Uganda's willingness to implement e-government is still questionable despite progress made in the adoption of legal and regulatory frameworks. There is a lot of effort and commitment needed to drive openness in government operations. For instance, Uganda was one of five countries in Africa eligible to join the Open Government Partnership (OGP) at inception in September 2011 but for some reason not stated publically, it has upto now not joined. The other countries included Kenya, Tanzania, South Africa and Ghana and they all promptly joined the OGP. Although Uganda has an access to information law, it does not provide for open data or for the use of online methods for promoting information openness.

Nonetheless, Uganda is one of the five countries in Africa offering open datasets, according to the 2016 UN eGovernance Survey with a few government bodies like the Uganda Bureau of Statistics (UBOS), the finance ministry, and the water and agriculture ministries releasing data in open formats.[14] Other Ministries Departments and Agencies (MDAs) also release huge chucks of data in non-electronic and non-reusable formats. Besides, majority of these agencies are unresponsive to information requests and lack a proactive information disclosure policy.

In 2013, government in partnership with civil society launched the AskYourGov.ug portal, to actualise the ATIA and enable citizens to request and receive information electronically. At the time of writing this report, the portal had 105 MDAs registered with about 735 requests made.

In addition, NITA-U, with support from the World Bank, is implementing the Regional Communications Infrastructure Program (RCIP), which among others seeks to strengthen e-government by establishing the Shared Public Service Delivery Platform - the eCitizen portal.[15]

The portal curates several e-services offered to citizens, businesses and non-citizens. To-date, it has registered 26 MDAs offering e-government services.

14 UN eGovernance Survey, 2016, P.42

15 See: - http://ecitizen.go.ug/content/ecitizen-portal

TABLE 3 eGOVERNMENT INITIATIVES IN UGANDA

Name	Description
Budget Monitoring Portal http://www.budget.go.ug	Established by the Ministry of Finance, Planning and Economic Development, the portal enables citizens to access and give feedback on budget performance at both the national and local levels and makes available all budget allocation figures in MS excel and PDF format
Integrated Management Information System (IMIS) http://ugandadata.org/imis/	IMIS promotes access to and analysis of census and other data for informed decision making for sectoral and local development programmes and policies.
CountrySTAT http://countrystat.org /home.aspx?c=UGA	CountrySTAT is a statistical framework and applied information system for analysis and policy-making designed to organise, integrate and disseminate statistical data and metadata on food and agriculture coming from different sources. It is owned by Ministry of Agriculture.
Uganda Bureau of Statistics National Data Archive http://www.ubos.org/unda/ index.php/catalog /central/about	The Uganda National Data Archive provides a catalogue of surveys that have been documented and released for user access across the national statistical system perthe Plan for National Statistical Development (PNSD).
Development Assistance Management System http://www.finance.go.ug /amp/portal	This is the Uganda Government's official online database of aid-funded projects and programmes. It is managed by the Aid Liaison Department in the Ministry of Finance
Ministry of Water and Environment Uganda Water supply database http://ipsanad.com/	Provides citizens with data on current safe water supply coverage, functionality and distribution of water, among others.
Inventory of Public Sanitation Facilities, http://www.publicsan.ug/index.php	This is a web-based database containing information on all public toilets in Small Towns and Rural Growth Centres in Uganda. It is managed by the Ministry of Water and Environment through the Urban Water and Sewerage Department (UWSD)
Environmental Information Network in Uganda http://maps.nemaug.org/	Portal contains environmental information in form of maps. Run by the National Environmental Management Authority
National Government portal http://www.gou.go.ug/services	Provides access to all available government services

Other initiatives include:- the Integrated Financial Management System (IFMS), the Local Government Information Communication System (LoGICs), the Education Management Information System (EMIS), the Health Management Information System (HMIS), the Parliamentary Communication and Management Information System (PMIS) and the Automated System for Customs Data (ASYCUDA).

Regarding online transactions, government in 2015 announced the launch of a five- year e-procurement strategy that will empower entities to better manage the public procurement and disposal process.[16] The Public Procurement and Disposal Authority (PPDA) is working with NITA–U to roll out the strategy in the first half of 2017.[17] Further, there a few eFiling initiatives as seen in table 4 where the public can submit official documents such as tax returns, company registration, e-visa application and social security returns.

TABLE 4 EFILING INITIATIVES

Name of initiative	Description
URA tax returns https://www.ura.go.ug,	Enables filing of applications for Tax Identification Number (TIN) and filing of tax returns
NSSF e-collections, https://ecollection.nssfug.org/ecollections/auth/login	Enables filing of social security returns
Uganda Business Licensing Information Portal http://www.businesslicences.go.ug/index.php	Implemented by the Uganda Registration Services Bureau, the portal allows for the public to search and obtain information for business related licenses
Kampala Capital City (KCCA) authority e-filing payment portal https://ecitie.kcca.go.ug/portal/	eCitie is the uniform payment platform for all KCCA revenue sources(Local Hotel tax, Business Licenses, Local Service Tax, Markets tax, Rent and Rates, Property Rates). Users can also use mobile money services to make payments through this system.
Electronic visa/ permit application system https://visas.immigration.go.ug/	Enables application for entry visa to Uganda
Ask Your Government http://askyourgov.ug/	Enables citizens to request for and receive public data from government information officials
Imports Inspection and Clearance Information Management System, http://eportal.unbs.go.ug/	Implemented by the Trade ministry, it provides easy access to information, quicker lodging and approval of applications and import clearance certificates, easy access to various permits, and ease in monitoring business transactions and receipt of timely email notifications.

16 Government launches E-Procurement Strategy, https://www.ppda.go.ug/government-launches-e-procurement-strategy/

17 Interview with key informant at NITA-U, March 29th, 2017

Although there is no current functional ePayment system that allows for payment by the general publicfor goods and services from the government online, in March 2016, the Uganda Revenue Authority launched an ePayment system that allows for members of the public to pay taxes.[18] The tax body was the first government agency to launch an eFiling system in Uganda, and it is hoped that other agencies will follow suit in adopting ePayment systems.

Despite mentions of streamlining gender into government projects, just a handful of central government agencies are implementing eGovernment projects that specifically address women's issues and concerns. One of these is the National Gender Based Violence Database (NGBVD)[19] which enables the Monitoring and Evaluation of Gender Based Violence (GBV) interventions, including compiling and monitoring reported GBV incidents. It is designed to collect, store and analyse GBV data in both humanitarian and non-humanitarian settings.

Overall, Uganda is moving towards the right path to implementing eGovernance. However, the movement towards implementing e-Government is slow and is not coordinated across government MDAs. Thus, more commitment towards adoption of policies especially those focusing on promoting open data, open standards and privacy and data protection is needed.

3.2 E-PARTICIPATION CHANNELS

As seen in the 2016 E-Participation Index (EPI) and its utilisation by stages, as well as ranking by the 2016 UN eGovernment Index, there is some considerable progress in the utilisation of E-Participation tools. This could be attributed to the increased usage of ICT in the country and government's ongoing efforts to integrate ICT into its operations. Uganda's EPI was ranked at 0.4915.[20] In terms of availing e-tools for information provision, citizen consultation and decision, participation, Uganda performed strongest with e-information scoring 73.5%, minimal progress with e-consultation (26.3%) and zero implementation of e-decision making.

The EPI measures e-participation according to a three-level model of participation that includes: (i) e-information – provision of information on the Internet, (ii) e-consultation – organising public consultations online, and (iii) e-decision-making – involving citizens directly in decision processes. The Survey assesses the availability of e-participation tools on national government portals for each of the above uses.

18 Online & POS Tax Payment, https://www.ura.go.ug/readMore.do?contentId=999000000000976&type=TIMELINE

19 See: http://ngbvd.mglsd.go.ug

20 eParticipation Index value is divided into four categories ranging from Low EPI (below 0.25); Middle EPI (0.25-0.50); High (0.50-0.75) to Very High (over 0.75)

Related to e-information and e-consultation is the Uganda set up the Government Citizen Interaction Centre (GCIC) established in December 2016. Government is positioning the GCIC as the one stop centre for accessing government information by providing periodic release of information and encouraging public feedback on government services.[21] However, the centre is still in its very early stages so its impact cannot be measured.

In terms of using mobile/text short messaging systems (SMS), there are few agencies utilizing this method to collect queries/feedback/suggestions from the public. The 2012 Uganda e-readiness report prepared for NITA-U noted that only 22% of central government institutions offered services or information to end users that could be accessed using a mobile phone.[22] As at the time of writing this report, the situation had not changed as only a few agencies offer such services. Those known to offer the service include the Inspectorate of Government (IGP) SMS corruption hotline andthe Uganda Police hotline.[23]

In 2013, NITA-U developed social media guidelines for MDAs. According to the NITA-U Statistical Abstract for 2016, all the 75 government MDAs have a web presence, with three quarters of them having up-to-date news and 77.8 percent of the MDAs' websites being integrated with social media.[24] However, reviews by the authors of the current research report indicate that many of the MDAs' websites are irregularly updated, some suffer a severe lack of information of public interest, and for many the level of engagement with citizens remains low.Further, a few agencies publish performance reports online though majority of these reports are not in reusable formats and are not uploaded on a regular basis

In many instances,having these platforms does not mean the MDAs are using them to collect queries and feedback from the public. Often the platforms are one-way communications channels, rarely updated, with queries and comments from citizens receiving no response. This is exacerbated by irregular updates to many government websites, some of which are static. The 2016 NITA-U statistical abstract, reported that "88.9% of the government MDA websites had minimum static information in 2015; 49.1% of the 57 government MDA websites had their dynamic data such as news articles not dated in 2015 while 96.8% of government MDA websites had several accessibility errors essentially to web browsers and specialised groups of people."[25]

Nonetheless, there are some notable social media initiatives that promote active engagements between citizens and public officials. These include #ASKThePMhashtag initiated by former prime minister Amama Mbabazi and the #AskTheED run by the Kampala City Council Authority to interact with the authority head.

21 Interview with NTIA-U official, March 22, 2017

22 The e-readiness report 2012 https://www.nita.go.ug/sites/default/files/publications/NITA-U%202012%20E-Gov%20Report%20Summary.pdf

23 See: Uganda Police contacts; http://www.upf.go.ug/contact-us/

24 NITA- U Statistical Abstract, 2016,

25 NITA-U Statistical Abstract, 2016, Page ix

In 2014, government developed Guidelines for Development and Management of Government Websites, whose main objective is to "provide guidance on the development and management of Government of Uganda Websites thereby improving the quality, reliability, accuracy and accessibility of online information pertaining to Government MDAs/Local Governments and to ensure consistent experience for all users."[26] However, no evaluation has been made to monitor government websites' compliance on accessibility for PWDs.[27]

Section 1.4 of Guidelines on Development and Management of Government Websites calls for all government MDAs to "consider the needs of a broad spectrum of visitors, including general public, specialised audiences, people with disabilities, those without access to advanced technologies, and those with limited English proficiency and ICT skills."

A report by the United Nations Educational, Scientific and Cultural Organization (UNESCO), found Uganda's ICT environment inaccessible to persons with various disabilities.[28] Further, most websites are in English,making them inaccessible to many Ugandans who cannot read and write in this language.

Regarding participatory rule-making, calls for public inputs to legislation are made available on some government portals, including that of the ICT and national guidance ministry. However, the process lacks consistence as some legislation and policies are adopted without public input while for those that receive input,citizens' inputs are often not adopted into the eventual policies and laws.

3.3 DIGITAL INCLUSION

In terms of digital inclusion, Uganda has adopted policies, plans and strategies to enable reasonable access to affordable internet service for all by passing enabling policies and regulatory frameworks such as the National ICT Policy 2014, Rural Communications Development Fund Policy 2001[29] and draft broadband strategy.[30] The commission established the Rural Communications Development Fund (RCDF) in 2001 as part of the Universal Access Policy and it is financed with a two percent levy on operators' annual turnover.[31] A draft RCDF III policy is being prepared and it seeks to address three main strategic programs - Broadband Connectivity and Access; Content Mediation; and Research, Advocacy, and Lobbying Programs.[32]

26 Guidelines on Development and management of Government Websites;
https://www.nita.go.ug/publication/guidelines-development-and-management-government-websites.
27 Interview with NITA–U official, March, 22 2017
28 UNESCO,2016, Uganda government officials trained on web accessibility for persons with disabilities,
http://www.unesco.org/new/en/media-services/single view/news/uganda_government_officials_trained_on_web_accessibility_for/
29 RCDF POLICY 2010/11 – 2014/15, http://ucc.co.ug/files/downloads/UCC%20RCDF%20Policy%202010-11-2014-15.pdf
30 National Broadband Strategy for Uganda,
http://www.ict.go.ug/sites/default/files/media/National%20Broadband%20Strategy%20for%20Uganda%20Draft%20V8.pdf
31 UCC, 2017, Rural Communications Development Fund – RCDF, http://ucc.co.ug/data/smenu/71/Rural-Communications-Development-Fund---RCDF.html
32 UCC, The RCDF Policy 2017/18 – 2021/22 (RCDF III): Report 1—Draft,
http://ucc.co.ug/files/downloads/DRAFT_RCDF_III_policy_final_stakeholder_workshop.pdf

The National ICT policy, 2014 prioritises ICT infrastructure and its integration in the country as provide under Section 3 (3.21.) The priority actions identified include:

a) Extension of the national backbone infrastructure to cover the entire country as well as addressing last mile challenges;

b) Integration of the communication, broadcasting and information infrastructure and systems;

c) Promotion of reliable and affordable ICT infrastructure in rural, remote and other underserved areas.

Further, the policy targets to achieve the following indicators by 2020:

a) Teledensity penetration rate from 50% as of 2014 to 90%;

b) Broadband access from 512Kbps to 4Mbps and 30Mbps per household for rural and urban respectively; and

c) Broadband cost from 180% of per capita income to 10%.

In addition, objective IV of the 2014 National ICT policy seeks "to promote value-added services, access to information and service needs to all sectors of society, especially the under-served sections of society (rural or poor communities, women, and people with disabilities)."Additionally, the five-year national ICT Sector Strategy and Investment Plan (SIP) developed in 2015 seeks to position the ICT Sector as a tool for transforming Uganda into a knowledge-based economy by 2020.[33]

The National Data Transmission Backbone Infrastructure and e-Government Infrastructure Project (NBI/EGI) started in 2011 and currently under NITA-U has seen the laying of 1,590km of fiber optic cable connecting Uganda to The East African Marine System (TEAMS) and SEACOM marine cables through Kenya. The project also connects Uganda to Rwanda, Tanzania, Democratic Republic of Congo and South Sudan, thus linking Uganda to other regional infrastructure backbones. Under this project, about 141 MDAs have been connected to the backbone.[34] In October 2016, government through (NITA-U) started providing free Wi-Fiinternet access within parts of the capitalKampala, with coverage expanding progressively.[35]

33 ICT Strategic Investment Plan, https://www.ict.go.ug/sites/default/files/Resource/ICT_SIP_draft.pdf

34 See, National Backbone Infrastructure Project, http://www.nita.go.ug/projects/national-backbone-infrastructure-project-nbiegi

35 Free Public Internet Access (WIFI), http://www.nita.go.ug/media/free-public-internet-access-wifi

Moreover, the national broadband strategy drafted in 2015 provides for a unified approach to planning investment and development of broadband infrastructure and services at national and regional levels.[36] The broadband strategy also seeks to establish the National Broadband Policy by 2016 and to ensure that 70% of MDAs and Local Governments (LGs) have interactive e-services by 2020. It also seeks to facilitate the use of ICT amongst special interest groups (women, the elderly and PWDs).

In terms of gender inclusion, the 2014 ICT policy Section 14 (f) includes gender as a cross-cutting issue in implementing the policy.[37] Under section 4.5.10 of the same policy, several strategies have been outlined aiming at mainstreaming ICT use by women, youth and People with Disabilities (PWDs). These include to:

a) Promote ICT as an alternative career for women, youth and PWDs in the informal and formal educational system;

b) Encourage creativity and innovation around ICTs among women, youth and PWDs leading to entrepreneurship development;

c) Enable full and equal participation of women, youth and PWDs in creating the information society;

d) Implement special ICT training programs for women, youth and PWDs;

e) Facilitate and encourage the development of electronic networks and systems for associations and organisations engaged in the advancement of women, youth and PWDs issues in the country; and

f) Implement ICT programmes/projects focusing on combating HIV/AIDS and other communicable diseases among women, youth and PWDs.

The 2009 NITA-U Act, under objective 4(f) also "promotes access to and utilisation of information technology by the special interest groups."

Although there has been a recognition of women in technology as seen in celebrations of women's day with profiling influential women in technology, appointment to key Information Technology jobs and recognition of the International Girls in ICT Dayin Uganda,[38] several strategies in ICT policies and legislation remain widely unimplemented. As a result, far fewer women than men access the internet. One study in 2016 found that the capital Kampala had the largest gender gap in Internet access across 10 cities surveyed globally. Only 21% of women reported having used the Internet, versus 61% of men, with high cost and lack of digital know-how cited as major barriers.[39]

36 National Broadband Strategy for Uganda, http://www.ict.go.ug/sites/default/files/media/National%20Broadband%20Strategy%20for%20Uganda%20Draft%20V8.pdf

37 Section 14 (f) Addressing cross cutting issues in ICT such as sustainability, gender, youth and people with disabilities;

38 UCC celebrates Gender Empowerment, http://ucc.co.ug/data/dnews/87/UCC-celebrates-gender-empowerment.html)

39 Web Foundation, Women's Rights Online Report card, http://webfoundation.org/docs/2016/09/WF_GR_Uganda.pdf

In terms of digital inclusion for PWDs, the 2014 ICT policy calls for mainstreaming ICT use by PWDs. The Uganda's Disability Act of 2006 also urges government bodies to promote the right of persons with disabilities to access information through a) development and use of sign language, tactile, sign language interpreters in all public institutions and at public functions; and b) brailing of public information such as government documents, government newspapers and other publications.Besides, the UCC is mandated under the UCC Act 2013, "to promote research into the development and use of new communications techniques and technologies, including those which promote accessibility of persons with disability and other members of society to communications services." Similarly, the country's telecom policy (2006) urges the delivery of high level information and service needs to all sectors of society, including people with disabilities.

However, these laws and policies have not been effectuated to raise availability and affordability of ICT specifically for people with disabilities.

3.4 ICT-EMPOWERED CIVIL SOCIETY

Civil society is increasingly becoming digital savvy as seen with the increase in use of digital tools to pressure government to be more transparent and accountable in the conduct of public affairs, including service delivery. All major political parties have active websites as well operational offices which use different ICT such as Personal Computers and laptops, cellular phones, other mobile devices for internal organisational purposes i.e. document processing, accounting systems, databases. Thesame can be said for most Non-Government Organsations (NGOs) and Civil Society Organisations (CSOs) particularly those based in major towns.

A report released in March 2017 on assessing internet freedom and digital resilience of civil society in East Africa ranked Ugandan CSOs highest in digital security practices as part of their daily operations compared to their counterparts in Burundi, Rwanda and Tanzania.[40] However, there is still low usage of ICT for internaland external processes among civic groups, people's organisations/community organisations, religious organisations and gender–based organisations.

40 Safe Guarding Civil Society: Assessing internet freedom and digital resilience of civil society in East Africa http://cipesa.org/?wpfb_dl=237

In terms of use of ICT for internal and external communication and coordination among civil society, there seems to be some progress especially for political parties and major civil society organisations. In regards to use of ICT for online and offline public engagement and action, CSOs and NGOs, political parties and civic groups are taking the lead in this category. According to the 2015 annual Uganda NGO Board report, CSOs are increasingly utilising social media platforms especially Twitter to supplement their advocacy activities with, a reported 31,224,247 online impressions[41] made through these engagements in2015.[42] Main hashtags used in 2015 included; #Action2015Ug, #2011Promises, #UgandaDecides, #LightTheWayUg and #ACC2015.

Additionally, political parties are also recognising the importance of social media use particularly in their mobilisation and campaigning efforts as seen during the 2016 electioneering period.[43]

Overall, there is still low usage of ICT by civil society for online resource-building/ fund-raising with just a few political parties and a few major NGOs utilising online fundraising in their activities.[44]

3.5 OPEN EGOVERNANCE ENVIRONMENT

Uganda presents a mixed report card in terms of fostering an enabling environment for open eGovernance. Freedom of information and access to information are supported by the Access to Information Act, 2005 and its 2011 regulations. But crucial laws and policies such as the Data Protection and Privacy Bill, the Open Standards and Open Data Policies, are only in draft form and there has been no urgency to have them debated and enacted. Besides, some of the laws that have been passed in some ways subtract from government openness and citizen participation. The ATIA, for instance, has several cases of exempted information, many of its provisions that provide for proactive disclosure have not been implemented, and public officials routinely defy the law.

Although government does not censor or block online content, there is an increase in targeted prosecution of citizens perceived to be critical of government, which has prompted several online users to practice self-censorship.[45] This is made worse by government'sincreased interest to investinsurveillance technology, purportedly for purposes of fighting cybercrime, protecting national security and promoting societal morals.

41 Online impressions indicate interactions in form of replies and mentions of messages shared on social media especially Twitter.

42 Uganda National NGO Forum, Annual Report 2015,
http://ngoforum.or.ug/wp-content/uploads/downloads/2016/07/UNNGOF-Annual-Report-2015.pdf

43 CIPESA, 2016, State of Internet Freedom report 2016, http://cipesa.org/?wpfb_dl=235; ICT in Governance in Uganda - Policies and Practices.
http://cipesa.org/?wpfb_dl=199

44 How ICT Tools Are Promoting Citizen Participation In Uganda, http://www.cipesa.org/?wpfb_dl=175

45 CIPESA, 2016

Arrests and prosecution of some social media users has further forced some citizens to withdraw from commenting in the public sphere on matters they deem sensitive.[46] Legislation such as the Anti-Terrorism Amendment Act, 2016 and Regulations on Interception of Communications Act, 2010, the Anti-Pornography Act, 2014, and the UCC Act, 2013, provide for lawful surveillance of communications. However, the same laws have been used to curtail internet freedom.[47] The absence of a data protection and privacy law further puts citizens' communications at risk.

Offline, there is a decline in freedom of association and assembly. The Public Order Management Act, 2015 is restrictive to citizens' engagements offline and has been used to intimidate and arrest human rights defenders seeking to conduct rallies and demonstrations.

In regard to intellectual property rights and the public domain, the National ICT Policy, 2014 calls for the recognition of these rights by developing legislation that addresses privacy and data protection and intellectual property rights. This complements,The Trademarks Act (2010)[48]; The Trade Secrets Protection Act (2009) and The Copyright and Neighbouring Rights Act (2006) which provide for the protection of intellectual property. However, there is limited research on the importance of preserving rights of authors/creators to benefit from their creative work, while balancing this with the rights of users to access the intellectual commons for the public good.

In terms of promoting Cultural/ Linguistic Development and Diversity, The National ICT Policy 2014 calls for the development of a "cultural policy that promotes the production of cultural, educational and scientific content and the development of local cultural industries suited to the linguistic and cultural context of the users.[49] It also calls for theprovision of content that is relevant to the cultures and languages of individuals in Uganda, through access to traditional and digital media services. On the other hand, the Uganda education policy supports the promotion of use of local languages as a medium of instruction at the lower primary level.

Overall, the telecommunication structure in Uganda is fairy conducive to healthy competition which benefits the public in accessing quality communications services. Uganda's telecommunication structure operates under a multi-service authorisation regime, where the regulator does not discriminate between the types of technology that licensed providers choose to provide public communication services.[50] The regulator regularly enforces ICT licensing requirements and regulations by issuing public notices to maintenance of standards,[51] where violators of these have been penalized.

46 Ibid. 45

47 CIPESA, 2016, State of Internet Freedom, 2016; Freedom House, 2016, Freedom on the Net, Uganda report

48 The Trademarks Act (2010), http://www.wipo.int/wipolex/en/details.jsp?id=7556

49 See, Section 5.2.10

50 UCC Licensing Regime- http://www.ucc.co.ug/data/smenu/88/Licensing-Overview.html; and UCC license application guidelines - http://ucc.co.ug/files/downloads/Licence-Application-Guidelines.pdf

51 See Compliance with minimum broadcasting standards, http://ucc.co.ug/data/dnews/85/Compliance-with-minimum-broadcasting-standards.html

For instance, in March 2015 the regulator imposed a UGX5 billion (approx. 1.4M USD) fine on telecom operator MTN Uganda for continuing to use short codes that were spamming customers. This was in accordance with UCC, Act, 2013, sections 41 (1) (a) and 41 (2) (b) of the Uganda Communications Act, 2013.[52] Earlier in February 2015, the regulator, in accordance with section 41 of the Uganda Communications Act revoked four courier, 16 FM broadcasting stations and seven telecommunication licenses (PIP and PSP) on account of non-operationalisation after issuance of licences, financial indebtedness to the Commission, technical non-compliance to licence obligation and commencement of operations without authorisation from the Commission.[53]

On the other hand, media reporting is fairly-balanced although non-state media owned houses critical of government have been harassed in the past with closure of The Daily Monitor newspaper and radio in 2013.[54] Overall, there is considerable media freedom although the Press and Journalist Act (1955) that regulators media has been criticised for variously curtailing media freedoms.

52 Press Statement: UCC Imposes Ugx 5b fine on Telecom Giant,
http://www.ucc.co.ug/data/dnews/52/Press-Statement:-UCC-Imposes-Ugx-5b-fine-on-Telecom-Giant.html
53 See: http://ucc.co.ug/data/dnews/49/PUBLIC-NOTICE:-Revocation-of Communications-Licenses.html
54 The Daily Monitor, Chronology of events leading to closure of Monitor premises, May 31, 2013
http://www.monitor.co.ug/News/National/Timeline-to-the-closure--of-Monitor/-/688334/1867856/-/oj3iv2/- /index.html

4.0 ASSESSMENT OF PROJECT METHODOLOGY IN THE COUNTRY

The results for Uganda involved data gathering using a mix of method. These included desk research, which involved a review of existing ICT legislation and regulatory instruments, online reports on eGovernment in Uganda, review of government and CSO websites. A validation workshop was held to share findings from the desk research and to also capture views from relevant stakeholders on the stated of Open egovernance in Uganda. Representatives in this workshop included those from the Ministry of ICT and National Guidance; NITA-U; CSOs and media. Also, results were shared during the synthesis researchers' workshop held in March in Bangkok.

Considering the paucity of research on eGovernment implementation in Uganda especially on its adoption by both government and CSOs, the project needed more time allocation to conduct in-depth interviews with key stakeholders like CSOs, MDAs and the public. Besides, for results concerning eParticipation channels and their utilisation, a wider survey to gather citizens' knowledge, attitudes and perception was needed to clearly understand their usage. The results in this report thus could be imp

ANALYSIS AND CONCLUSION

Overall, the government of Uganda has made some considerable progress in the adoption of open e-governance on the legal and regulatory front. The adoption of the eGovernment framework in addition to the access to the information law and instruments around improving digital inclusion are the right steps towards implementation of open eGovernance in Uganda. Although information and cyber security legislation is present to safe guard e-transactions, the absence of data protection and privacy, open standards and open policy laws are a huge hindrance to the full adoption of open eGovernance in Uganda. The findings indicate an appetite for use of ICT in service provision by both government and CSOs. Government thus needs to improve its efforts in passing legislation that promotes the use of open data and standards in publishing information. This will make it easier for the public to fully utilize eGovernance initiatives while building trust in government operations.

Although ICT penetration rates continue to grow, access and affordability remain an issue for the poor, rural populations and disadvantaged groups such as women, PWDs and youth. Whereas the national ICT policy, among other frameworks, calls for programmes to raise access for women, the government has not put this into effect. Similarly, access for PWDs is paid lip service, despite the Disability Act (2006), the Telecom Policy (2006), the UCC Act (2013) all requiring that government takes measures to ensure their access to ICT.

The limited use of ICT by government agencies, particularly to offer citizens services, remains a stumbling block to increased eGovernance in Uganda. The private sector, through mobile money services, e-payment systems and other innovations, is at the forefront of championing adoption of e-services, and the government seems to be raising its game too, albeit at a slow pace.

A growing number of services are being offered by public agencies, such as on e-taxation and e-filing. Similarly, initiatives such as the eCitizen portal implemented by NITA-U, which curates several e-services offered by government bodies, could go a long way in encouraging more MDAs to offer e-services, including those for which citizens do not merely make e-filings but also effect e-payments.

To its credit, Uganda has passed several enabling laws and policies, some of which are positive for citizen participation, free expression and open governance. However, implementation remains a challenge, thereby undermining the growth of eGovernance. The National e-government framework 2011 aims to “enhance and promote the efficiency and transparency in the functioning of government through the increased use of ICT for online service delivery to citizens and business.” Moreover, Uganda has developed an e-Government master plan, under which a National Enterprise Architecture Plan will be implemented during 2017.

Uganda also has an overarching body charged with overseeing the development of IT use in government and the implementation of the National e-Government policy framework, that is National Information Technology Uganda (NITA-U). The country has had a ministry for ICT since 2006 and a telecoms regulator since 1999, both of whom are supporting efforts to develop the ICT industry in Uganda. Laws such as the Computer Misuse Act, E-Signatures Act and the E-Transactions Act, and frameworks such as the draft Broadband Strategy are largely supportive of the development of eGovernance, but the slow pace of implementation subtracts from their utility.

On the downside, Uganda does not have a government interoperability framework and both the Open Standard Policy and Open Data Policy are in draft form, with only the open data policy open for public input. The lack of interoperability mechanisms, open standards and open data policies, means that Uganda is far from attaining meshed eGovernment. Furthermore, the weak enforcement by NITA-U of some of the policies it develops such as the Government Website Standards undermines efforts to improve eGovernance. Uganda's unexplained failure to join the Open Government Partnership (OGP) also seems to demonstrate the country's lack of sufficient political will to implement open eGovernance programmes.

As it is, most ICT in government MDAs is used for internal efficiencies rather than enabling citizens to receive services, provide feedback on government plans and decisions, share their views, and generally interface with public officials. In turn, most of the eGovernment services are government-to-government rather than government-to-citizens, indicative of a low level of e-government development. Besides, there is only a handful of social media / ICT-based initiatives that promote active engagements between citizens and public officials. Nonetheless, there are some recent initiatives that point to a possible change in stance, such as the Government Citizen Information Center (GCIC) that will periodically release information and encourage public feedback. The drafting of the Open Standards Policy and the Open Data Policy is also a step in the right direction.

To improve the overall eGoverment framework in Uganda, the following recommendations are made:

- Expedite the passing of the data protection and privacy law so as to build trust in the use of ICT by citizens.
- The open standards policies should be expeditiously subjected to public debate and once passed, implemented without any delay.
- NITA-U should work with MDAs to enforce use of different ICT tools for citizen engagement as this would reduce the feedback loop.
- Uganda should join OGP as embracing the global partnership would demonstrate willingness and ability to enforce open governance.
- All MDAs should adopt ICT-enabled participatory rule-making to enable citizens contribute to policies, regulations and other decision-making arenas.
- Where citizens fear reprisals for their online communications, eParticipation and open governance may not thrive. Government should therefore desist from using legislation such as the Anti-Terrorism Amendment Act, 2016 and the Regulations on Interception of Communications Act, 2010, the Anti-Pornography Act, 2014, and the UCC Act, 2013 to conduct unwarranted practices of surveillance and interception, and others that limit citizen assembly and organising.
- There is a need for regular updates to government websites and social media accounts, and NITA-U should offer guidance on the types of public interest information that each website must have and periodically update it.
- All MDAs should ensure citizens have access to public information by proactively releasing such information and promptly responding positively to citizens' requests for information. In this regard, all MDAs should add on their websites a provision for citizens to make requests for public information as per the ATIA provisions.