



## Public Dialogue On Promoting The Right To Information In Uganda

### Report



**December 15, 2016**

**Kampala, Uganda**

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## **1. Introduction**

On December 15, 2016, the Collaboration on International ICT Policy for East and Southern Africa (CIPESA) organised a public dialogue on Promoting the Right to Information in Uganda. The dialogue was held at Kabira Country Club, Bukoto Kampala and was attended by 17 participants including eight public officials, five representatives of women's rights organisations and four journalists.

Access to information is essential for the functioning of democracy and is a prerequisite for transparency and accountability, as well as for citizens' participation in governance. Unfettered access to information can also contribute crucially to economic, social and political development.

At the global level, the right to access information is enshrined in the Universal Declaration of Human Rights. In Uganda, the right to access information is enshrined in Article 41 of the national constitution, which states: "Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person." Uganda was among the first African countries to enact a right to information law - the Access to Information Act, 2005.

Although Uganda passed a right to information law in 2005, it still remains largely unimplemented. Many Ugandan public institutions also maintain a culture of secrecy whereby they rarely release information pro-actively and routinely ignore citizens' requests for information. Further, in instances where public information held by the state is released, it is sometimes in an inaccessible or non-reusable format. Meanwhile, most citizens, as well as many journalists, are not empowered to make information requests to leaders due to ignorance of their right to information.

As such the dialogue brought together public officials and civic actors to deliberate how to advance the right to information (RTI) for Ugandan citizens, including how to enhance ICT-enabled access to information on rights and livelihoods particularly by women. The dialogue also aimed to stimulate demand for information by the public including women and women rights' organisations, and to increase the release of information into the public sphere.

### **1.2 Opening/ Welcome Remarks**

Dr. Wakabi Wairagala, the CIPESA Executive Director, welcomed participants to the dialogue and thanked them for attending. He gave a brief overview of what CIPESA has done to promote the right to information in Uganda. These included the establishment of the [Ask Your Government](#) (AYG) online portal in

partnership with the Ministry of Information and National Guidance and the Africa Freedom of Information Center (AFIC), training for government officials on how to use the portal, as well as training for women's rights organisations and journalists on how to make information requests.

He, however, expressed concern that the AYG platform has not been fully utilised by both the public and the government to demand and supply information respectively. He said the dialogue would seek solutions to the problems of low access to information in Uganda.

### **1.3 Objectives of the Dialogue**

To clarify to participants why this dialogue was held, Ms. Loyce Kyogabirwe introduced the objectives as listed below;

- To identify challenges related to the right to information in Uganda.
- To suggest possible ways of advancing the right to information in Uganda.
- To explore the role of ICT in facilitating access to information pertinent to women's rights and livelihoods.

## **2. State of Access to Information and the Regulatory Framework in Uganda**

Edrine Wanyama, a lawyer with the Human Rights Network (Uganda), provided an analysis of the right to information, its importance and the legal and regulatory framework at international, regional and national levels.

Drawing from provisions in the Constitution and the Access to Information Act (2005), he explained to participants how to exercise their right to information, who is obliged to give information, what kind of information is accessible and not accessible, the costs involved before getting information and how to deal with denial of information requests.

Lastly, he highlighted some of the bottlenecks associated with access to information which include conflicting laws, wide-ranging exemptions to accessible information, limited scope of bodies obligated to give information, and lack of awareness among citizens. At the same time, he encouraged participants to file as many requests as possible, to use the media to expose the bottlenecks, utilise online platforms such as the Ask Your Government ([www.askyourgov.ug](http://www.askyourgov.ug)), educate the public and undertake advocacy activities to promote the right to information.

The presentation stimulated a discussion among participants particularly public officials, some of whom pointed out efforts by the government to improve citizens' access to information. Ms. Doreen Amono from the Ministry of Lands, Housing and Urban Development and Ms. Freda Kakooza from the Ministry of Information and National Guidance explained some of the steps taken by the government as follows;

- Government has devised the 2013 communications strategy that embraces all MDAs, which calls for 5-15% of the national budget to be allocated to the information and communications function.
- Government agencies have developed more interactive websites, some of which are fully updated.
- The Ministry of Information and National Guidance has been provided with free airtime for public education programmes on stations across the country, which MDAs can use to educate citizens about their work.
- The Ministry of Lands has developed the Access to Information Manual which has been widely used by different stakeholders.
- The government organises grassroots barazas (community dialogues) and open days which provide an opportunity to citizens to interact with public officials.
- Some MDAs have embraced the use of social media such as Twitter to swiftly send out information.
- In 2015, the government organised a retreat for Ministers and Permanent secretaries, and among other issues, they were sensitised on the Access to Information Law.

On the other hand, public officials acknowledged that there has been slow progress towards the implementation of the Access to Information Act since 2005 when the Act was passed to 2011 when its regulations were enacted. They also stated that information was previously not given a priority it deserves in terms of planning and allocation of resources. "The role of information has been undervalued and sometimes it gets a zero release on budgets," said one of the officials at the dialogue.

Civil society organisations also raised concerns that the government has not taken deliberate steps to consider access to information for people with special needs. Moreen Nambalirwa from National Union of Women with Disabilities noted that when information is disseminated to the public via the TV and radios, people with visual and hearing impairments miss out. She added that despite a directive from the Uganda Communications Commission for all television stations to include sign language interpretation during news broadcasts, none of the over 10 local television stations in the country have done so.

On the issue of the high costs of accessing information as stipulated in the Access to Information Act, it was clarified that it is free of charge to obtain from the government basic information regarding procedures and processes.

### 3. Challenges Related to the Right to Information in Uganda

In group discussions, public officials, journalists and women’s rights organisations identified challenges they face in their respective institutions and suggested possible solutions as indicated below.

Government Agencies	
Challenges	Possible Solutions
Some of the Government Ministries, Departments and Agencies (MDAs) rely on Permanent Secretaries who are in most cases very busy to attend to information requests	There is a need for the direct link between information officers and information requestors instead of direct contact with only Permanent Secretaries.
Under-staffing in most of government MDAs and unqualified staff who do not know how to execute their roles and tasks	The government should recruit at least two qualified people in each ministry or agency to manage and disseminate information to the public
Underfunding of activities related to collection, packaging and dissemination of information	Revisit the budgetary allocations for information and communications departments in MDAs
Poor record keeping in MDAs	MDAs should streamline record keeping for proper information management
Conflicting laws which make the implementation of the Access to Information Act challenging, such as The Official Secrets Act, The Oaths Act, The Parliamentary (Powers and Privileges) Act, The Evidence Act among others	The government should work with CSOs to amend the controversial laws that contradict the Access to Information Act
High costs involved in publishing public information in the local media	The media should play their corporate social responsibility and publish relevant information to the public at a reduced cost or no cost at all
Lack of clarity on the roles and tasks of ICT departments and Information and Communication Officers	The government should clearly define and differentiate the roles of IT Officers and Communication Officers to avoid conflict

Ignorance on the side of information officers about the importance of sharing/ disseminating information to the public	Conduct refresher courses to update communications and information officer's skillsets to match the ever-changing nature of information and communication
Poor relationship between government, media and CSOs	Strengthen the relationship between the government, CSO and the media
<b>Civil Society Organizations and Journalists</b>	
<b>Challenges</b>	<b>Possible Solutions</b>
Tedious process of getting information from government agencies	The public should make use of online platforms like the Askyourgov portal to request for information
Ignorance by the public of the existing information and how to access it	Need for massive and aggressive sensitisation on the Access to Information Act
Some government institutions are inaccessible to people with disabilities (PWDs) hence they cannot access information	The government should implement the Universal Access Design which can support PWD to physically access government structures and in turn, information.
There is the perception that civil society is anti-government bodies/agencies	The government and civil society should work on changing this perception and pursue closer working relationships to promote the right to information
Lack of sense of urgency in providing information to the public coupled with the mandatory 21 day maximum response time to information requests	Public officials should be sensitised and trained on the importance of timely dissemination of information to the public
Low levels of literacy among citizens	There should be more opportunities for basic and adult education
Limited internet accessibility	The government should work towards increasing internet points of presence in different parts of the country

#### **4. The Role of ICT in Facilitating the Right to Information**

Juliet Nanfuka from CIPESA led the discussion the role of ICT in facilitating access to information with specific reference to the AskYourGov online portal. This is an online platform that facilitates access to information in Uganda. It allows Ugandan citizens to make information requests to the different public bodies including ministries, departments and agencies within the Government of Uganda.

During the discussion participants who had ever used the platform to make information requests were encouraged to share their experience. One public official stated: “As an officer required to provide and seek information, I made a request to the Ministry of Internal Affairs and no response or acknowledgement was received. I kept on checking until the 21 expired and up to today, I have never received any response. I experienced what the public feels when they request for information and no response is given.”

It was also noted that both the public and government have not fully utilised the platform to demand and supply information respectively and most of the requests made are mainly inquiries. Participants were taken through the portal, how it works and how to request for information.

#### **5. Outcomes of the Dialogue**

The dialogue provided a space for civil society, public officials and journalists to interface with each other and to share their experiences. They recognised that they are all partners and encounter several, sometimes similar problems, regarding to access to information. They indicated the need to work together by forging partnerships which promote the right to information in Uganda. “Although we have some challenges in government, I have also learnt that even CSOs have challenges. We should move from excuses and accusations and work together,” said one of the public officials.

Participants further appreciated AskYourGov portal as an important tool to use to demand for accountability from government. Some of them indicated that they did not know that such a platform existed.

The dialogue empowered women’s rights organisations and journalists to demand for information from the government, as reflected in the observations below from some of the participants:

“Access to information is a right and not a privilege. I will not fear to ask for any information as long as it is within the law.”

“I will post more questions on AYG portal and sensitise the community particularly women on the importance of the right to information.”

“I will hold Information officers accountable to provide information since it is my right to access it.”

Furthermore, the dialogue reminded public officials about their responsibility to supply information to the public as and when needed. Below are select comments from public officials who attended the dialogue:

“I will actively and routinely log on to the AskYourGov website to ensure information requests are responded to in time to give credibility to the site as the first point of reference.

“I am going to open an account on the AskYourGov website and I will keep checking for requests and remind my boss to respond in time.”

“As the National Library of Uganda, we are going to sign up for the AYG portal, and also network with civil society and other government agencies.”

## **6. Conclusion**

All In all, the dialogue ignited the discussion on the right to information in Uganda among public officials, civil society and journalists. It brought out the critical issues including challenges and possible solutions regarding the right to information.

At the end of discussion participants agreed that they are all partners and appreciated the different context in which they are working and will seek to work together to promote the right to information in Uganda. Similarly, the dialogue affirmed the fact that ICT can play a key role in advancing the right to information in Uganda.



## Right to Information in Uganda: A dialogue with Public Information Officials

Venue: Kabira Country Club, Bukoto | Date: December 15 , 2016

### Agenda

Time	Activity	Responsible
8:00 - 8:30	Arrival and registration	CIPESA
8:30 - 8:45	Introductions	Juliet Nanfuka (CIPESA)
8:45 - 9:00	Welcome Remarks	Dr. Wakabi (CIPESA)
9:00 - 9:10	Objectives of the dialogue	Loyce Kyogabirwe
9:10 - 9:40	Status of RTI and Regulatory framework Edrine Wanyama (HURINET)	
9:45 - 10:10	Reactions/Questions	
10: 10 - 10:30	Tea Break	
10:30 - 11:30	Plenary discussion- RTI in Uganda Challenges and Solutions in Paul Kimumwe – ACME	
11:30 - 1:00	Role of ICT in facilitating the Right to Information; – A closer look into the AYG portal	Juliet Nanfuka
1:00: - 2:00	Way forward and closure and Lunch	Loyce Kyogabirwe

## Participants

1	Ministry of Agriculture	Connie Acayo	Principal Information Officer
2	Equal Opportunities Commission	Julius Kamywa	Commissioner for Education, Training, Information and Communication
4	Equal Opportunities Commission	Stephe Semigabo	Systems Administrator
5	Ministry of Education and Sports	Stella Mukyala	Senior Communication Officer
6	Ministry of Lands	Doreen Amono	Communication's Officer
7	Ministry of Gender, Labour and Social Development	Francis Kyateka Mondo	Public Relations and Communication Officer
8	Ministry of Health	Vivian Serwanjja	Public Relations Officer
9	National Library of Uganda	Hellen Namuyomba	Information Scientist
10	National Union of Women with Disabilities	Moreen Nambalirwa	Program Officer
11	Women's Democracy Network, Program Officer	Connie Osofu	Women's Democracy Network
12	Women and Girl Child Development Association	Elliot Orizaarwa	Executive Director
13	The Sunrise	Henry Lutaaya	Journalist
14	Observer	Prisca Baike	Journalist
15	Uganda Radio Network	Davidson Ndyabahika	Journalist