

Access to Information

Unblocking the flow, fulfilling the potential

This brief explores questions around Access to Information (ACT) in Uganda. It brings together findings from four recent studies¹ on the topic, with a view to improving the flow of information and fulfilling the potential of Uganda’s ground-breaking ATI Act (2005).

Fact 1. The right of access to information in Uganda is enshrined in the Constitution and given effect by the ATI Act (2005)

“Every citizen has a right of access to information in the possession of the state or any other organ or agency of the state”

Constitution, Article 41:

(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)

The ATI Act was enacted in order to give effect to Article 41. It requires the Chief Executive of any public body to provide accurate and up-to-date information upon request by citizens, with minimal exemptions and with provisions to override these exemptions if doing so is in the public interest.

Fact 2. Implementation of the ATI Act is hindered by a wide range of obstacles

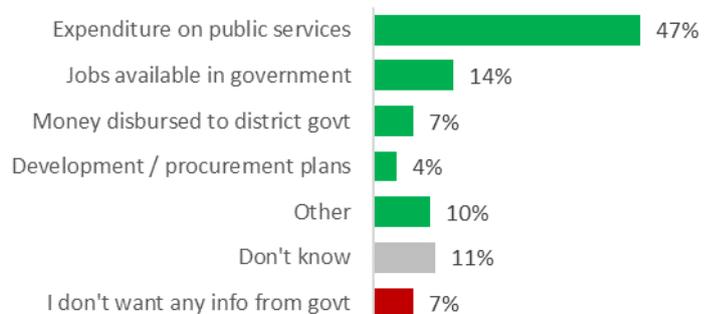
Legislative	Political	Economic	Social
<ul style="list-style-type: none"> Other laws undermine the ATI Act including Official Secrets Act restricts disclosure of information Penal Code provisions on sedition and against discussing governance problems Evidence Act, 2010 	<ul style="list-style-type: none"> Restrictions on civil, political, economic rights Domination of the media, particularly radio, by politically-connected actors Government officials fear releasing documents if they think the information may be used against them 	<ul style="list-style-type: none"> Population largely uninterested in governance matters: “the poor eat food, not human rights” Poor access to the internet for the majority UGX 20,000 fee for ATI requests, plus reproduction costs (e.g. photocopying) 	<ul style="list-style-type: none"> High dependence on word-of-mouth as a source of information High level of deference to authority “There is a lot of fear within the public to dare ask for information from the officials”

Source: Compiled from Kiiza, 2016

Fact 3. There is evidence of demand for information, particularly financial information, from local government

When asked what type of information they would like to receive from government authorities in their district, very few (7%) said they didn’t want any such information. Instead, around half of citizens (47%) say they would like information on district government expenditure on public services, and others say they are interested in information on matters relating to jobs, finances and development plans.

Main type of information respondents would like to receive from the government authorities in own district (unprompted):



Source: Twaweza / Omnibus Survey, 2016, n=2,252

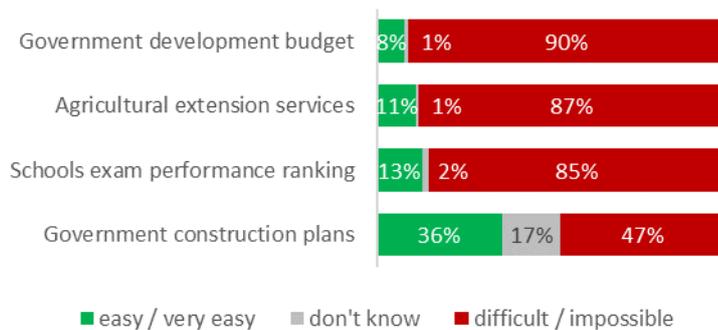
1. The data presented here comes from i) a desk review of the political and social environment for access to information in Uganda, conducted by Dr Julius Kiiza in 2016; ii) a scoping study conducted on blockages to effective use of Uganda’s access to information law, including focus groups, key informant interviews and a small survey of 152 randomly selected respondents, conducted by CIPESA in 2015-2016; iii) a series of questions on access to information and related matters included by Twaweza in two nationally representative surveys: the “Omnibus” surveys, one of 2,252 respondents conducted by Research World International in 2016 and the second of 2,000 respondents conducted by Ipsos Uganda in 2015; and iv) Round 2 of Twaweza’s Sauti za Wananchi, a nationally-representative mobile phone panel survey, conducted in November 2017.

Fact 4. The majority of citizens say it would not be easy to find relevant information

Nine out of ten citizens (90%) say it would be difficult or impossible to find information on the government budget for development projects, agricultural extension services (87%) or ranking of secondary schools exam performance (85%). For government construction plans, half (47%) say finding such information would be difficult or impossible.

The main reasons given for this difficulty are not knowing where to look (45%) and long travel distances (32%).

How easy or difficult would it be to find out the following information about your own district?

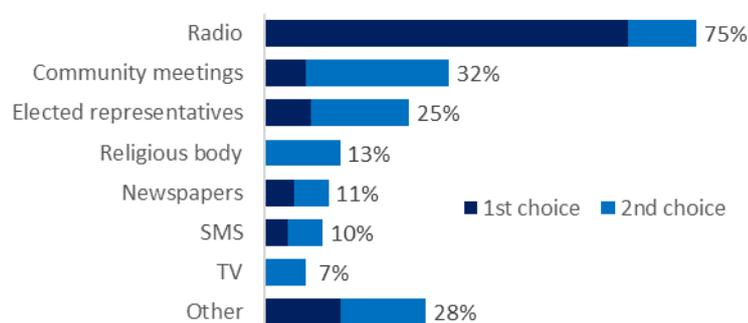


Source: Twaweza / Omnibus Survey, 2016, n=2,252

Fact 5. Citizens prefer to receive information via radio

In general citizens cite a range of different channels by which they would like to receive government information, with radio the most popular.

Respondents' preferred way of receiving information from government:



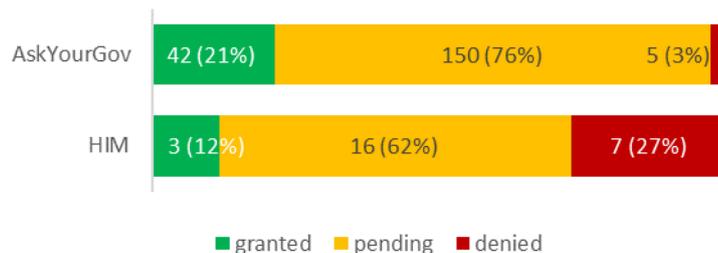
Source: Twaweza / Omnibus Survey, 2016, n=2,252

Fact 6. Most ATI requests either take a long time or are effectively denied when a public agency does not respond.

The AskYourGov.ug website, operated by the Africa Freedom of Information Centre (AFIC), and the Hub for Investigative Media (HIM) both provide tools that allow easy ATI requests.

The vast majority of requests on both AskYourGov (76%) and HIM (62%) in 2013-2015 were marked as “pending”, meaning they had not yet been responded to. One out of five requests (21%) on AskYourGov was successful, and one out of eight (12%) on HIM.

Information requests made by the Hub for Investigative Media (HIM) and AskYourGov.ug, 2013-2015



Source: CIPESA, 2016, citing data from AskYourGov and HIM (<http://askyourgov.ug> and <http://him-ug.org>)

Fact 7. Many of those who have made ATI requests report being denied or obstructed in apparent contravention of the law

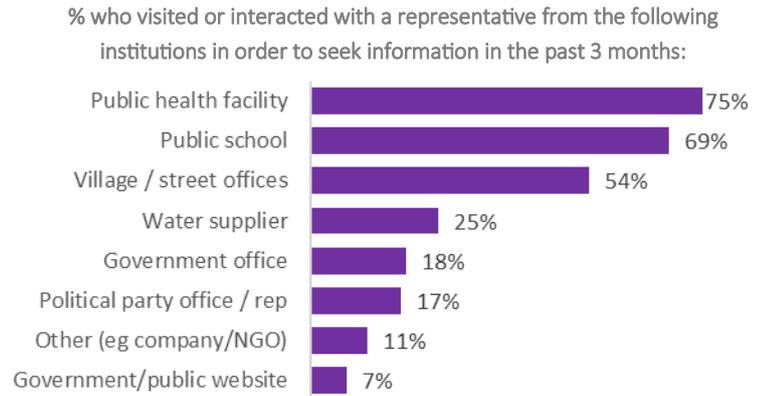
- Some respondents received *incomplete information*, sometimes with *outdated data*, thereby rendering the request useless.
- Respondents often encountered *suspicion, or interrogation* as to what the information would be used for. The Act specifies that information should be provided without any need to understand the reason for a request.
- *Delays and dismissal of requests* with no explanation given.
- *Intimidation by security forces* was cited after a request for information on election results following suspected rigging.
- The *unavailability of relevant officials* at the time of a request was given as a reason for denial.

Source: CIPESA, 2016

Fact 8. A majority of citizens have sought information from health facilities, schools and village / street offices

Three out of four citizens (75%) have sought information from a public health facility at least once in the past three months. Almost as many (69%) sought information from public schools in the same period, and just over half (54%) did so from their village/street offices.

Citizens seek information less often from water suppliers, national government offices, political parties and NGOs. Few citizens (7%) sought information from a government website in the past three months.

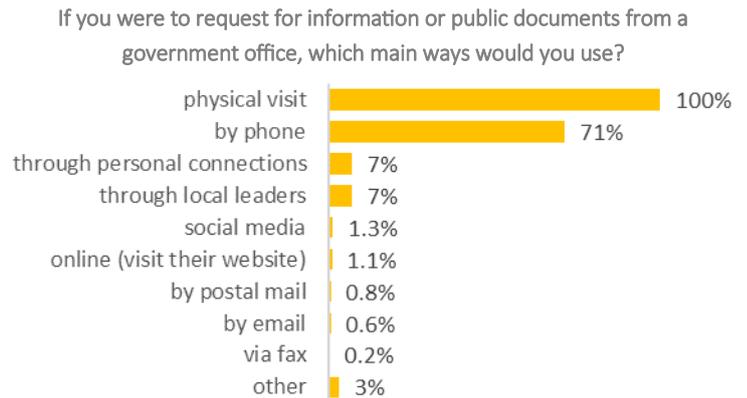


Source: Twaweza / Sauti za Wananchi, n=1,980

Fact 9. Almost all citizens would be most likely to request information through a physical visit

Almost all citizens say they would physically visit a government office if they wanted to request information from that office. Phone calls are also popular, with seven out of ten (71%) saying they would use this approach. A few would go through friends who have connections with that office (7%) or consult their local leaders (7%).

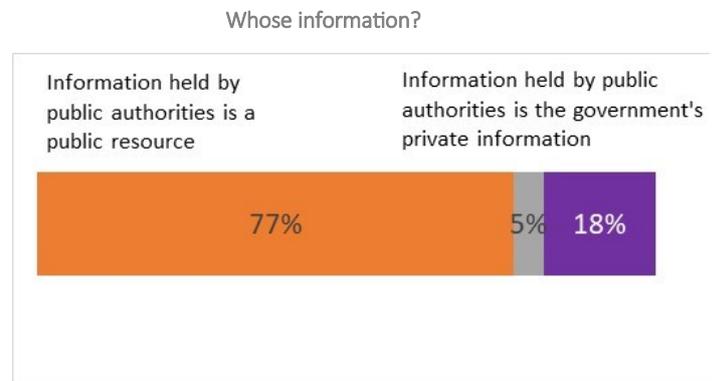
Only very small numbers would use social media (1.3%), the internet (1.1%) or email (0.6%) when seeking information.



Source: Twaweza / Sauti za Wananchi, n=1,980

Fact 10. Citizens believe they own the information

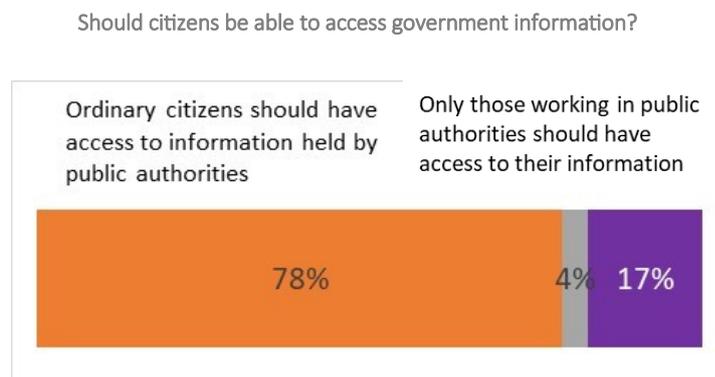
Eight out of ten citizens (77%) see information held by public authorities as a public resource. Two out of ten support the opposing view that the information held by public authorities is the government's private information.



Source: Twaweza / Omnibus, 2015, n=2,000

Fact 11. Citizens believe they have the right to access government information

As well as believing that government information is a public resource, citizens strongly support their right to have access to this information; eight out of ten (78%) say that they should have access.



Source: Twaweza / Omnibus, 2015, n=2,000

Fact 12. Most citizens believe in strong protections for media freedom

Three out of four citizens (72%) say the news media should constantly report on government mistakes and corruption, in contrast to one out of four (28%) who believe that too much such reporting only harms the country.

Similarly, two out of three citizens (64%) prefer the idea that the media should be able to operate without government control over the alternative.

For each pair of statements, which do you agree with the most?

Too much reporting on negative events like government mistakes and corruption harms the country	The media should constantly investigate and report on government mistakes and corruption
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The government should have the right to prevent media from publishing things it considers harmful	The media should have the right to publish any views and ideas without government control
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Source: Twaweza / Sauti za Wananchi, n=1,980

Fact 13. Citizens strongly support freedom of expressions

Citizens are also strong supporters of the right of individual citizens to express critical views. Eight out of ten citizens (78%) say criticism of leaders is a good thing, as it helps stop them from making big mistakes.

Similarly, three out of four citizens (72%) say people criticising national leaders makes the country stronger, by helping the government to identify and correct its mistakes.

For each pair of statements, which do you agree with the most?

Criticism of leaders is a bad thing, it undermines respect and unity	Criticism of leaders is a good thing, it helps stop them from making big mistakes
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People should not be allowed to criticise the national leaders as it undermines their authority and the country's reputation	People should be allowed to criticise national leaders as it helps the government correct mistakes and strengthens the country
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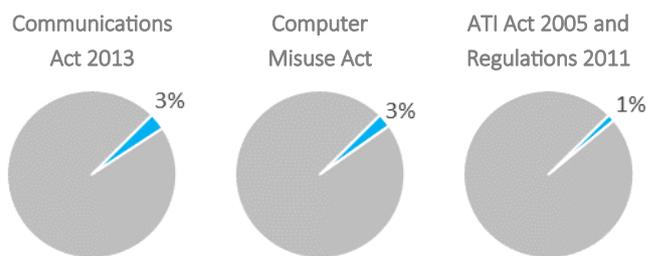


Source: Twaweza / Sauti za Wananchi, n=1,980

Fact 14. Very few citizens are aware of laws that relate to information access and use

Less than one out of twenty citizens (3%) is aware of either the Uganda Communications Act or the Computer Misuse Act, and just one out of a hundred (1%) are aware of the Access to Information Act and its Regulations.

% who are aware of ...



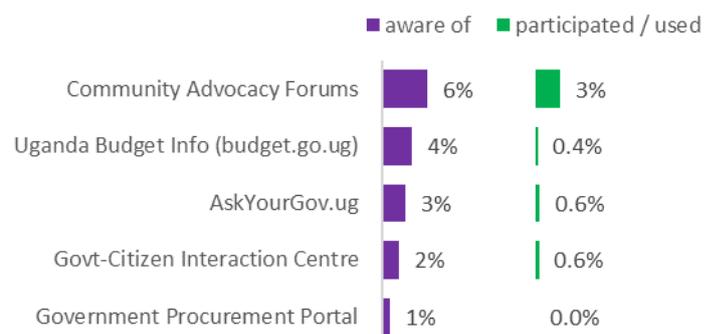
Source: Twaweza / Sauti za Wananchi, n=1,980

Fact 15. Very few citizens are aware of initiatives to enable greater access to and/or use of information in civic life

One out of twenty citizens (6%) is aware of Community Advocacy Forums / Barazas, half of whom (3%) have participated.

With online platforms, awareness is even lower, including the Uganda Budget Information website (4%), the access to information tool, AskYourGov.ug (3%), and the Government Procurement Portal (1%). Less than one out of a hundred citizens have used these services.

Do you know about and have you used / participated in the following?



Source: Twaweza / Sauti za Wananchi, n=1,980

