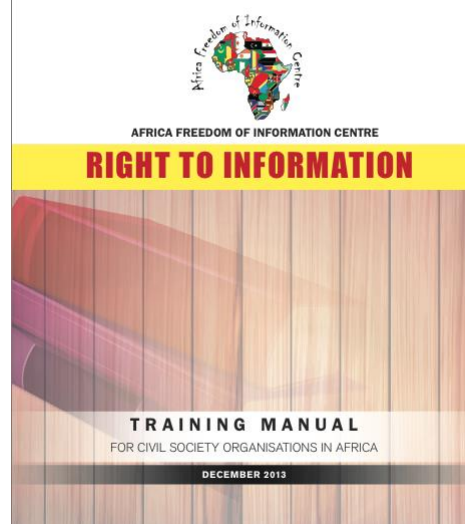




## Access to Information Training In Uganda– Highlights 2010 – 2014

Africa Freedom of Information Centre (AFIC) started its operations in 2010 to implement the Lagos September 2006 which resolved that, “... *a regional Freedom of Information Centre in Africa be established where experiences garnered in the different countries can be pooled and shared among civil society activists and which will provide technical assistance to organizations involved in any stage of Freedom of Information advocacy or implementation*”. AFIC’s interventions seek to create knowledge around Access to Information (ATI), improve policy environment, and strengthen capacities of CSOs with ultimate goals of empowering ordinary people to demand. Results show that human rights like health, education, and food are enhanced through the application of the right of access to information at community, national, and international level. It also shows that access to information and citizen participation increase value for money in public contracts and services.



Since its foundation, AFIC has implemented series of ATI programmes in Uganda with the aim to directly inform citizens and Civil Society leaders of the Access to Information Act (ATIA) in Uganda, and how to successfully use this legislation to request information from both local and national Government ministries, departments, and agencies (MDAs). Here follow several examples of how the series of trainings has affected the capability of citizens to address issues like corruption and mismanagement in their own communities.

### Community-level

#### Tracking Community Medication Supplies

In Masaka district, central Uganda, communities had suffered years of frustration out of absence of medicines for malaria, the main cause of sickness and death amongst Ugandan women and children. During AFIC’s initial training workshop conducted in May 2012, it was revealed that shortage of malaria medicine at health facilities was a common problem in the district. Mrs. Margaret Musoke,

one of the participants at the workshop filed a request for information regarding the number of times Mpugwe Health Centre had received medicines for malaria and the number of doses in each delivery. It was found that despite the chronic absence of medicine, the Health Centre had regularly received supplies. Margaret demanded that this information should be displayed at the Health Centre's public notice board, following which there was no reported absence of medicine for several weeks.

### **Addressing Fraud in Construction**



In April 2014, Mr. Eli Muhwezi, an activist based in Ishaka Town Council, located in South-Western Uganda, attended AFIC's training on ATI. Following the training, he filed an information request for records pertaining to the construction of Kashenyi Health Centre II with Bushenyi-Ishaka Town Council. His request was prompted by unconfirmed information that government had allegedly paid for 210 iron sheets to roof a structure at the Health Centre yet physical count shows only 56 iron sheets. On receipt of the information request, the Town Clerk invited him for a discussion and unsuccessfully attempted to bribe him with UGX

500,000 (US\$200) to give up his request for records. This case was one of the 34 examples of possible fraud that were identified during AFIC's follow-up training in Ishaka in August 2014. Bushenyi District Local Government leaders led by the Chairperson, Mr. Willis Bashasha (*in picture*) demanded for urgent action on the misuse of public funds by Ishaka-Bushenyi Town Council.

### **Government funding of education**

On April 27, 2012 the Ministry of Education and Sports published in the New Vision newspaper a list of hundreds of schools which had allegedly been provided with science kits. The publication also included district in which respective schools were located, enrolment per school and number of science kits supplied to each school. AFIC examined a sample of schools and found enrolment to be inflated by as high as 300 students per school. The Public Procurement and Disposal of Public Assets Authority was notified to investigate the matter. On May 25, 2012, the Ministry of Education and Sports published in the Monitor newspaper an addendum in which school enrolment column was deleted and number of science kits provided was adjusted. AFIC followed up with two of the schools and found that indeed they had been provided with two extra kits in line with the original publication.

### **National level**

AFICs activities and projects have not only had an impact on the community level. Many of our programmes also drove upstream policy reforms and actions.

**askyourgov.ug**

In an effort to promote the usage and implementation of the Access to Information Act in Uganda, AFIC, in collaboration with the Office of the Prime Minister, developed an on-line portal: [askyourgov.ug](http://askyourgov.ug). This portal allows citizens, NGOs, and CSOs to request information from more than 70 MDAs in Uganda. Information portals are widely used by a variety of countries to ease the process of information requesting.

### **Teacher Transfer Policy**

On June 19, 2014 AFIC filed an information [request](#) through [www.askyourgov.ug](http://www.askyourgov.ug) portal (developed by AFIC and Office of the Prime Minister). It sought copy of Government's Teacher Transfer Policy. On September 10, 2014 sent a reminder through email to the Ministry about the request. This was promptly responded to on the same day promising to provide a response. On November 10, 2014 the Ministry of Education and Sports announced on Page 4 of the Monitor Newspaper that it had issued Teacher [Transfer Policy](#). The policy among others states that a teacher or head teacher should not be at a particular school for more than five years. The Monitor Newspaper welcomed the policy and on Tuesday November 11, 2014 carried an [editorial on the new policy](#). Implementation of the policy commenced with the transfer of [1093 teachers](#) and 70 [head teachers](#). The Ministry was quoted as saying that some of the teachers had been in the same school for as long as 20 years. It is clear that the development of the policy and transfer of teachers was triggered by AFIC's information request.

### **Annual RTI reports to Parliament**

This success followed another major right to information policy breakthrough. On February 21, 2011 AFIC made an information request to the Rt. Hon. Prime Minister of Uganda requesting for information regarding how each minister was complying with Section 43 of the Access to Information Act in respect of annual reports to Parliament. In his March 17, 2011 response he directed the Minister of Information to respond to the request. A day earlier, on March 16, 2011 the Prime Minister was quoted by the Government New Vision newspaper warning "ministers against [failure to make timely reports](#) on their ministries". In her letter to AFIC dated April 15, 2011 the Minister of Information and National Guidance acting on the Prime Minister's directive regretted failure to comply with reporting and explained that lack of ATI Regulations under Section 47 of the Access to Information Act was the reason for ministers' lack of compliance with annual reporting. She promised that Regulations would be issued within 2 months. Indeed a week later, April 21, 2011 Access to Information Regulations 2011 No. 17 were gazetted.

### **International level**

#### **ACHPR**

At continental level, AFIC has undertaken a number of initiatives. For example, ahead of the 56<sup>th</sup> Ordinary Session of the African Commission on Human and People's Rights AFIC and its members (Media Rights Agenda (Nigeria), Society for Democratic Initiatives (Sierra Leone), Center for Human Rights Rehabilitation and Media Institute of Southern Africa (Malawi) and submitted [shadow reports](#) on the status of the right of freedom of expression and access to information in Nigeria, Sierra Leone, Malawi and Uganda. The shadow reports provided real experiences of citizens in covered

countries in respect of both policy and practice. Commissioner Pansy Tlakula, Special Rapporteur on Freedom of Expression and Access to Information in Africa appreciated AFIC and its Coordinator stating, “.... *I wish to express my profound gratitude to you personally and to AFIC for the support you gave me during the 56<sup>th</sup> Session of the African Commission through the provision of shadow reports. The reports enhanced my engagement with State Parties which presented their State Reports....*”

### **State of RTI in Africa Report makes immediate impact**

On September 29, 2014 AFIC released the first ever state of Right to Information in [Africa Report](#). The report, covering 14 countries provided an analytical state of right to information in Africa from perspective of ratification and domestication of African Union treaties that recognise the right to information. It also covers the state of State reporting to the African Commission on Human and Peoples’ Rights under the Charter as well as adoption and implementation of ATIA laws from citizen perspectives. The report and its recommendations have attracted attention. Malawi and Uganda promised to implement recommendations. Mozambique and Sudan have already adopted national access to information laws as recommended in the report. The report formed basis for engagement with UN on sustainable development goals and its indicators on the right to information. Beyond laws, policy makers, researchers and activists have used the report in various ways. The African Union Commission requested for additional copies for its library, Global Integrity has referenced it variously in its upcoming survey; IFEX has referenced among its [annual highlights](#), Freedom Info has [reproduced](#) and disseminated the report among other users.

### **Campaign for Recognition of International Right to Information Day**

Official recognition of September 28 as International Right to Information Day by the African Union, UNESCO and UN General Assembly is a major goal of the Working Group on the African Platform on Access to Information. Following the adoption of the African Platform on Access to Information (APAI) declaration in September 2011, AFIC together with other APAI Working Group members- Article 19, Federation of African Journalists, Highway Africa, Media Foundation for West Africa, Media Institute of Southern Africa, Media Rights Agenda, Open Democracy Advice Centre, African Editors’ Forum successfully campaigned for ACHPR to adopt [Resolution 222](#) of expansion of Declaration of Principles of Freedom of Expression in Africa and recognition of September 28<sup>th</sup> as International Right to Information Day.

The Right to Information is vital for any democracy to flourish, and access to information legislation informs and empowers citizens to hold their government accountable. AFICs programmes have had measurable impacts at community, national, and international (continental) level. We believe that the right to information can resolve many of Africa’s development challenges in various sectors and platforms.

### **Making OGP Work**

Launched in September 2011, the Open Government Partnership provides an important platform on which to advance the right to information and citizen participation. IN Africa, there was a slow start

with only few countries eligible for membership. South Africa, Kenya, Tanzania, Ghana and Liberia joined. However, Liberia and Ghana took some time to set up national coordination mechanisms as well as elaboration of the nation OGP national action plan. In addition, knowledge of OGP and its status in individual countries was minimal.

With support from the Word Bank, AFIC initiated and implemented a programme to promote OGP and support civil society engagement in the partnership. The project facilitated knowledge sharing through webinars, video conferences and listserves. In addition, country support missions and engagements at continental and global level were established.

**Impact:** The project built vibrant connections between civil society and respective governments as well as creation of a community of actors regionally. In addition, civil society participation in the process was authentic.

In Liberia, AFIC mission met with the minister responsible for OGP, other government agencies participating in the process, donor agencies and civil society. In setting up the National Steering Committee, Government had invited one person to represent civil society in the committee while government had five officials. Following discussions, the steering committee was expanded and civil society was invited to nominate other representatives, drafting of action plan commenced and public consultation plan developed.

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