

THE UNITED REPUBLIC OF TANZANIA
President's Office, State House



Open
Government
Partnership



Tanzania Open Government Partnership (OGP)
Second National Action Plan

2014/15 - 2015/16

LIST OF ABBREVIATIONS

AG	Attorney General
APRM	African Peer Review Mechanism
BEST	Basic Education Statistics of Tanzania
BRN	Big Results Now
CAG	Controller and Auditor General
CSOs	Civil Society Organizations
EGA	e-Government Agency
EITI	Extractive Industries Transparency Initiative
FOI	Freedom of Information
GIS	Geographical Information System
IATI	International Aid Transparency Initiative
IRM	Independent Report Mechanisms
LAAC	Local Authorities Accounts Committee
LGA's	Local Government Authorities
MDA	Mining Development Agreements
MOCLA	Ministry of Constitutional and Legal Affairs
MOEVT	Ministry of Education of Vocational Training
MEM	Ministry of Energy and Minerals
MOF	Ministry of Finance
MOHSW	Ministry of Health and Social Welfare
MLHHSD	Ministry of Lands, Housing and Human Settlements Development
MOW	Ministry of Water
MSD	Medical Stores Department
NAO	National Audit Office
NBS	National Bureau of Statistics
NECTA	National Examinations Council of Tanzania
OGP	Open Government Partnership
PAC	Public Accounts Committee
PSC	Production Sharing Contracts
PMORALG	Prime Minister's Office, Regional Administration and Local Government
PO PSM	President's Office, Public Service Management
POSH	President's Office, The State House

Tanzania Open Government Partnership (OGP) Second National Action Plan 2014/15 - 2015/16

1.0. INTRODUCTION

The United Republic of Tanzania joined the Open Government Partnership (OGP) in September 2011. The country's first OGP Action Plan was submitted in April 2012, focusing on enhancing transparency, citizen participation, accountability and integrity and the use of technology and innovation in service delivery sectors of health, water and education.

In his keynote address at the OGP forum on 20th April, 2012 in Brasilia Brazil, President Dr. Jakaya Mrisho Kikwete stated Tanzania's commitment to the OGP:

"I promise that we will do our best to live up to the expectations of this partnership to promote transparency and accountability of our government to the people of Tanzania. I wish to reaffirm that our political will to achieve the OGP goals will not falter because open government is at the heart of the contract between state and citizens"

While speaking at the plenary of the OGP Conference in London in October 2013, President Dr. Jakaya M. Kikwete reaffirmed Tanzania commitment, elaborating on the value of the OGP dynamic as follows:

"Transparency, openness and accountability are critical for both the Government and the people because, when the Government is open, the people know what is going on, and they can hold their Government accountable, and the Government has the urge to deliver."

These statements indicate commitment to the principles and delivery of OGP at the highest levels of Government.

It is also worth noting that Tanzania is among 31 African countries participating in the APRM process after voluntarily acceding to the mechanism in May, 2004. As a member to the APRM, Tanzania has to conform to the values, principles and codes and standards enshrined in the Declaration on Democracy, Political, Economic and corporate Governance. The purpose being to encourage and build transformational leadership through self assessment as well as by an independent review process.

2.0. The First OGP Action Plan

Tanzania developed its first phase OGP Action Plan through a public consultation process in which a number of key stakeholders including non-state actors, media and citizens were involved. Multiple platforms, such as meetings, television, radio, newspapers, social media and mobile phones were used. Diverse views were collected and thereafter the draft Action Plan was published in both English and Kiswahili versions.

The first Action Plan featured a total of 25 commitments which were implemented in three main sectors – Education, Water and Health. The plan also encompassed few cross-cutting issues which had stakes in the success of the main sectors mentioned.

A Self Assessment and Independent Reporting Mechanism (IRM) were conducted. Both the Self-Assessment Report and the report of the Independent Review Mechanism found that implementation was challenging and therefore limited success recorded. This was contributed by multiple responsibilities and new initiatives on the part of Government, low level of knowledge on the OGP initiative among the majority of citizens, limited financial resources, limited participation by CSOs and newness of the OGP concept. Both these reports are available online at www.opengov.go.tz

3.0. PROGRESS MADE

Nevertheless, lessons learned from the limits of the First Action Plan have helped establish a foundation for openness, transparency and citizens' participation in implementing national development agenda, and for a more concerted focus on implementation.

Through the first OGP Action Plan, and through other initiatives, Tanzania has made progress in a number of areas of open government.

Several important datasets in public service sectors have been made publicly accessible. In the water sector, for example, data on the location of rural waterpoints has been published online, and the education examination results data has also been made available online.

Similarly, a number of key budget documents are also publicly available. Most notably, once the reports of the Controller and Auditor General (CAG) have been presented to Parliament, they are also made available to the public. In addition, in a joint initiative with Policy Forum, a civil society organisation,

a Citizens Budget has been published, highlighting key aspects of the national budget for a wide audience.

More recently, the Big Results Now (BRN) initiative, led by the President's Delivery Bureau, has driven improvements in data collection in key sectors, and in making this data publicly available.

Last but not least, at the OGP London Summit in October 2013, H.E. President Dr. Jakaya M. Kikwete made a public commitment to enact a freedom of information law. Progress is being made on this, including the preparation of a paper by the Ministry of Constitutional and Legal Affairs proposing a Freedom of Information Act.

Overall, the seeds are in place for a more robust set of achievements in open government as reflected in the Second Action Plan. Drawing from the recommendations of the IRM report, this plan has a more focused set of commitments to ensure effective delivery. As was in the First OGP Action Plan, implementation will be overseen by a reconstituted joint Government and Civil Society National Task Force under the leadership of the President's Office (POSH).

4.0. PHASE 2 ACTION PLAN COMMITMENTS

Tanzania's Second OGP Action Plan focuses on five priority areas, selected for their cross-cutting importance. These areas are:

1. Freedom of Information Act
2. Open Budgets
3. Open Data
4. Land Transparency
5. Extractive Industries Transparency

The commitment to service delivery of education, health and water from the First Action Plan remains as the first three commitment areas – access to information, open budgets and open data – will be reflected in those sectors. Below, for each of the five commitment areas, the key principles and commitments are as follows:-

4.1. Freedom of Information

Freedom of information is both a cornerstone of open government and a key democratic right. The Constitution of the United Republic of Tanzania, 1977 recognises this right, but at present there is no law that

provides the means to put this right into practice. H.E. President Dr. Jakaya M. Kikwete recognised this at the OGP London Summit in 2013, when he stated that as part of the country's next OGP Action Plan, his government would enact a Freedom of Information Act.

Commitment:

To enact a Freedom of Information Act by December 2014.

The legislation will be established in line with international best practice and shall include:-

- (i) Recognition of a human right to information, along with a broad presumption of openness of information held by public bodies, including state-owned enterprises and bodies, and private bodies undertaking public functions or operating under public funding;
- (ii) An obligation to publish a wide range of information on a proactive basis;
- (iii) Robust procedures for making and processing requests which are simple, free and quick (with a clearly specified maximum response time).
- (iv) A limited regime of exceptions based on preventing harm to protected and security related interests, a public interest override and severability where part of a record is exempt;
- (v) A right of appeal.
- (vi) Protection for good faith disclosures and sanctions for obstruction of access; and
- (vii) Obligations to report on requests received backed up by sanctions for refusal to disclose information without reasonable cause.

4.2. Open Data

New technology presents powerful new opportunities for collecting, analysing and sharing data. Increasing access to the internet and mobile telephony potentially enables more citizens to benefit from information and data. By making this data publicly available, a wide range of actors can be brought into the policy process and debate, bringing valuable new ideas and new thinking to policy making, and stronger public participation in monitoring and citizen feedback.

Commitment:

To establish an open data system by December 2016.

Key steps to operationalizing this commitment include the following:

- (i) Establishing a coordinating body or working group under the Ministry of Finance for exploration of this issue.
- (ii) Supporting guidelines issued, followed by legislative resolutions demonstrating support for transparent operations and the integration of open data into policy considerations, including provision of data in machine readable formats.
- (iii) Establishment of a user-friendly, interactive open data portal data.go.tz.
- (iv) Publication of key datasets on data.go.tz, particularly related to the education, health and water sectors, including data from Basic Education Statistics in Tanzania (BEST) and national examinations (NECTA), medical facilities and Medical Stores Department (MSD), water points, company registrations, NBS census and survey data and GIS data on village and ward boundaries; and with all data an emphasis on provision of disaggregated data at the facility level so as to be meaningful to citizens.

4.3. Open Budgets

Transparency in the budget process is a cornerstone of open government. This is important at all stages of the process, from formulation, through enactment, implementation and audit. Again, publishing data in this way can bring in a new range of actors into the process, who can contribute new ideas that deliver a more effective and efficient budget system.

Commitment:

To make budget data (eight key budget reports), audit committee reports and tax exemptions publicly available by December 2014.

In line with internationally accepted good practices for open budgets, this includes:

- (i) Publish, in a timely manner, the following eight key budget reports each budget year: a pre-budget statement; the executive's

budget proposal; the enacted budget; a citizens budget; in-year reports on revenues collected, expenditures made and debt incurred; a mid-year review; a year-end report; and audit reports.

- (ii) Publish the reports of the Parliamentary Audit Committees.
- (iii) Publish all tax exemptions, on a monthly basis.
- (iv) Publish Budget data online, in machine-readable formats, as well as key information made available at district councils as far as possible at all education and health facilities.

4.4. Land Transparency

Land is a critical resource for the people of Tanzania. Land transparency is an important part of the Government's commitment to ensure fair, equitable and efficient governance of land matters, and to reduce the potential for land conflicts.

Commitment:

Make land use plan, ownership and demarcated areas for large scale land deals accessible online for public use by June 2016.

This includes:

- (i) Publish demarcated areas for large scale agricultural investment (farming and livestock keeping)
- (ii) Publish all land use plans and make it accessible both at national and local levels
- (iii) Make easily searchable land ownership database online

4.5. Extractive Industries Transparency

Tanzania is a member of the Extractive Industries Transparency Initiative (EITI) since 2009, becoming EITI-compliant in 2012. Three EITI reports have been published to date, covering the financial years 2008-2011.

Commitment:

Tanzania to fulfill its EITI commitments by June, 2015

This include:-

- (i) Publish signed MDA, contracts from 2014 onwards by June, 2015,
- (ii) Document Governments policy on actual practice for disclosure of contracts signed before 2014 by June, 2015,
- (iii) Publish Demarcated areas for Mining by December, 2014.

5.0. CONCLUSION

This Action Plan was prepared through a process that engaged various stakeholders from both the Government and Non Governmental Organization including the citizenry. Implementation will commence in July, 2015. Quarterly implementation reports will be prepared and uploaded for accessibility to the public.

We believe that Commitments listed in this Action Plan will build towards a move open, transparent and accountable Government and enhance various initiatives by Government to bring about efficiency and accountability in the provision of services to the public.

**Tanzania OGP Second Action Plan
Implementation Plan and Progress Dashboard**

	Area	Commitment	Action / Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
1	Freedom of Information	To enact Freedom of Information legislation by December 2014	Get Government Approval Prepare Draft Bill	MOCLA AG	CS -Meeting IMTC - Meeting Cabinet - Meeting Preparation of Draft Bill	September, 2014	
			Approve the Bill into Law	MOCLA	Bill approved into Law	December, 2014	
2	Open Data	To establish an open data system by December	Prepare guidelines on data management	MOF, NBS, POPSM, eGA, National Archives	Guidelines in place	October, 2014	

	Area	Commitment	Action / Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
		2016	Review existing data disclosure Policy, Act and Regulations.	MOF, NBS, POPSM, eGA, National Archives	Reviewed data disclosure Policy, Act and Regulations.	March, 2015	
			Formulate Open Data Policy	MOF, NBS, POPSM, eGA, National Archives	Draft Policy in place	June, 2016	
			Establishment of Open data portal	MOF, NBS, POPSM, eGA, National Archives	Open data portal in place	June, 2015	
			Publish first set of Open data (Education, Health and Water) on open data portal and other platforms.	MOEVT, MOW, MOH, NECTA, PMO-RALG	Data published and accessible through open data portal and Ministry own websites	June, 2015	

	Area	Commitment	Action/ Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
			Publish second set of Open data (more on service delivery, surveys) on open data portal and other platforms.	NBS, MOEVT, MOW, MOH, PMO-RALG	Data published and accessible through open data portal and other platforms	December, 2015	
3	Open Budgets	To make budget data (eight key budget reports) publicly available.	Publish eight key budget reports (pre-budget statement; budget proposal; enacted budget; citizens' budget; in-year reports; mid-year review; year-end report; audit reports) online in real time.	MOF, CAG	Number of budget reports published online. Availability of basic budget information at District Council and facility level.	December 2014 and Each Year	

	Area	Commitment	Action / Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
		To publish reports of Parliamentary Audit Committees	Publish reports and recommendations of the PAC and LAAC Audit Committees within one month of report release	CAG, Parliament Of the United Republic of Tanzania	Timely publication of parliamentary reports	December 2014 and on-going	
		To publish tax exemptions	Publish type, amount and entity for all tax exemptions on a monthly or quarterly basis	MOF	Timely publication of tax exemptions	December 2014 and on-going quarterly	
4	Land Transparency	Make land use plan, ownership and demarcated areas for large scale land deals	Publish demarcated areas for large scale agricultural investment (farming and livestock keeping)	MLHHSD	Number of all registered large scale agricultural investment published online	December 2015	

	Area	Commitment	Action/ Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
		accessible online for public use.	Publish Land Use Plan and make it accessible both national and local levels	MLHHSD	National Land Use Plan published online Number of Districts with land use plans published	December 2015	
			Make land ownership database online	MLHHSD	Database available online	December 2015	
5	Extractive Industries Transparency	Government to fulfill its EITI Commitments	Publish signed MDA, contracts from 2014 onwards	MEM		By June 2015	

	Area	Commitment	Action / Activities	Lead Institutions	Indicator	Time Frame	Progress Dashboard Green Orange Red
		and principles	Document government's policy on actual practice for disclosure of contracts signed before 2014.	MEM		By December 2015	
				MEM AG	Number of PSCs and MDA signed before 2014	By December, 2015	
			Publish demarcated areas for mining	MEM	Number of all registered large scale mines online	By December 2014	

The progress dashboard will be filled quarterly by each lead institution using traffic light coding, and published online.



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