

# Independent Reporting Mechanism (IRM) Final Report 2017: Kigoma Ujiji

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The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In 2016, OGP opened to subnational participants in their own right as part of a pilot program. The OGP Subnational Pilot Program consists of 15 subnational governments who submitted Action Plans and signed onto the Subnational Declaration at the Paris Global OGP Summit. This report summarizes the results of the development and implementation of Kigoma Ujiji's pilot subnational action plan from January 2017 to December 2017.

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## **Site map**

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- [Overview page](#)
- [Context and scope of action plan](#)
- [Development process and monitoring of the action plan](#)
- [Commitments](#)
- [OGP method and sources](#)

# Overview

## Period under Review

Action Plan under Review	2017
Dates of Actions under Review	01/2017 – 12/2017

## Summary of IRM Findings

Kigoma Ujiji's action plan focused on improving access to government-held information on land ownership, education, health services, water supply, and the municipal budget. Future action plans could address current limitations in the co-creation and monitoring process by strengthening the scope of participation for civil society and the private sector. Additionally, open government activities could go beyond the online publication of information to develop new accountability mechanisms or strengthen existing mechanisms for citizens to use the information made available.

## Participation in OGP

Action Plan Date	1 January 2017 to 31 December 2017
Lead Agency (Office, Department, etc.)	Kigoma Ujiji Municipal Council

## At a Glance

<b>Table 1: At a Glance</b>	
Number of Commitments	5
<b>Level of Completion</b>	
Completed	0
Substantial	3
Limited	0
Not Started	2
<b>Number of Commitments with...</b>	
Clear Relevance to OGP Values	5

Transformative Potential Impact		1
Substantial or Complete Implementation		3
<b>All Three (⊕)</b>		1
<b>Did It Open Government?</b>	<i>Major</i>	0
	<i>Outstanding</i>	1

## Action Plan Priorities

<b>1.</b> Land Transparency
<b>2.</b> Health Services Transparency
<b>3.</b> Open Budgets

## Institutional Context

This section summarizes the Institutional and Subnational Context section. It emphasizes the description of the lead institutions responsible for the action plan, their powers of coordination and how the institutional set-up boosts or affects the OGP process.

Kigoma Ujiji is one of the 185 local government authorities in Tanzania established under the Regional Administration and Local Government Act (1982). It is classified as an urban local government led by the Mayor from among elected ward councilors which form the Municipal Council. The Mayor is the political figurehead of the Council, while the Municipal Executive Director appointed by the President serves as the chief executive of the Council.

### **OGP leadership in Kigoma Ujiji Municipal Council**

In Kigoma, OGP is hosted by the Mayor's office. One of the Council's senior officials was appointed as the OGP coordinator to convene all departments and non-state actors on the OGP process in Kigoma Ujiji. The coordinator is appointed, upon consultation with the Executive Director, from among the members of the Council Management Team (CMT), and reports to the team on all matters related to OGP. The coordinator is also responsible to produce all necessary reporting to be addressed to the Council and its selected standing committee. The OGP coordinator thus serves as the convener on the OGP action plan with support from the Mayor and approval from the Executive Director. In this capacity, the coordinator has the mandate to oversee other department heads in their implementation of Kigoma's OGP action plan.

The Kigoma Ujiji Municipal Council appointed a member of the CMT to operate as the point of contact for the action plan's implementation. The OGP coordinator was initially the Municipal Water Engineer, but was eventually replaced by Mr. Kalila King, the Council's economist, to strengthen coordination. Mr. King took over from the former after he was suspended pending a disciplinary hearing at the Council.<sup>1</sup> As the OGP coordinator, the incumbent was expected to ensure dissemination of information related to action plan implementation among other CMT members and to guide grassroots level government in

their implementation of the plan. The coordinator was also responsible for holding other members of the OGP Team accountable for their respective commitments.

While there was one overall coordinator, specific members of the CMT were assigned responsibility for the implementation of those commitments falling under their purview. As such, the Municipal Medical Officer was responsible for commitments related to health, while the Municipal Education Officer was responsible for those pertaining to education. Likewise, the Land Officer was responsible for commitments related to land, while the Municipal Water Engineer was responsible for commitments related to water. On the other hand, the Council Economist was responsible for the commitments related to the implementation of the budget.

All appointed executives reported to the CMT through the OGP coordinator, and where need be, through their immediate supervisors, i.e. the Municipal Executive Director. Kigoma’s involvement in OGP was established through a Council resolution declaring commitment to the implementation of the action plan. The resolution does not, however, amount to a legally binding agreement, although it provides the citizens a useful precedence to question the conduct of their local government.

During the action plan implementation period, several notable changes occurred. In March 2017, the initial OGP coordinator was replaced, while the new coordinator was replaced with the Municipal Economist in October 2017 following auditing of his office. Furthermore, in July 2017, the national Tanzanian government wrote to the OGP co-chairs (France and Georgia) that it planned to immediately withdraw from the Partnership. While this did not immediately affect Kigoma’s involvement in OGP, in September 2017, the head of the CMT was informed by the Ministry of Local Government to cease any work on Kigoma’s action plan. Lastly, the national government did not appoint a new Land Officer for Kigoma until September 2017, after a prolonged process, which hindered the ability to implement its land transparency commitment. For more information, see the Background section of this report.

**Table 2. Summary of OGP leadership in Kigoma**

<b>1. Structure</b>	<b>Yes</b>	<b>No</b>
Is there a clearly designated government lead for OGP?	✓	
	<b>Shared</b>	<b>Single</b>
Is there a single lead agency or shared leadership on OGP efforts?	✓	
	<b>Yes</b>	<b>No</b>
Is the head of government leading the OGP initiative?	✓	
<b>2. Legal Mandate</b>	<b>Yes</b>	<b>No</b>
Is the government’s commitment to OGP established through an official, publicly released mandate?	✓	
Is the government’s commitment to OGP established through a legally binding mandate?		X
<b>3. Continuity and Instability</b>	<b>Yes</b>	<b>No</b>
Was there a change in the organization(s) leading or involved with the OGP	✓	

initiatives during the action plan implementation cycle?		
Was there a change in the executive leader during the duration of the OGP action plan cycle?	✓	

## Participation in OGP by Government Institutions

This sub-section describes which government institutions were involved at various stages in OGP.

Participation of government institutions in Kigoma Ujiji's OGP process was spearheaded by the Municipal Council under the leadership of the Mayor. The Council initiated the process with the Council's resolution to join OGP and subsequently led the process that led to the development of the action plan.

Government participation in the OGP process was at three levels; the grassroots (street level government), the Management (Council Management Team and Departments) and the Council (and its standing committees). In all three cases, emphasis was on providing the opportunity for citizens to engage in shaping the OGP process from the development of the action plan to its implementation and monitoring. As such, the Council instructed the street leaders to engage citizens in identifying priorities in the action plan through their scheduled street meetings. These were eventually channeled to the respective Ward Development Committees which further aggregated them to the Council Executive Committee, bringing together all the Ward Councilors and their executive officers to discuss and recommend for consideration by the full Council.

Prior to submission of the action plan to the full Council, the proposed priorities were presented at a public hearing in which the public was invited to provide feedback before their approval. This process was hosted by the Council led by the Mayor's office in collaboration with Twaweza (an East African organization dedicated to promoting open government). The full Council then considered the final proposal based on the public consultation and subsequently approved the proposed action plan.

Following the approval of the action plan, the Council issued a resolution to begin its implementation and assigned different commitments to different department leads. As such the heads of the Water, Education, Lands, Health and the Municipal Economist were assigned to manage the implementation of those priorities falling under their purview and to subsequently report to the CMT and occasionally to the Council and its standing committees. As mentioned in the above section, in the early stages of the implementation period (January 2017 – April 2017), the Council appointed the Municipal Water Engineer to serve as the action plan's coordinator at the Municipal Council. He was later replaced by the Municipal Economist following the former's suspension due to audit queries raised against his office's performance in the previous year.

Besides the Municipal Council, several other agencies have been involved in the production of the necessary data to implement the commitments. These include the Kigoma Urban Water and Sewerage Authority (KUWASA), the National Examinations Council of Tanzania (NECTA) which issues national exam records, the Medical Stores Department (MSD), and the National Planning commission which issues budget ceilings and guidelines. These agencies work closely with the Council to provide the necessary information for the respective Council officials.

While the street-level government was involved in the development of the action plan, there is limited evidence of their continued engagement during implementation. There was very limited participation by the national government during the action plan's development,<sup>2</sup> which was further complicated in July

2017 when the national government opted to formally withdraw from OGP after which there were deliberate efforts not only to disengage, but to also cease the implementation of the action plan.

**Table 3. Participation in OGP by Government Institutions**

How did institutions participate?	Ministries, Departments or agencies	Legislative (parliaments or councils)	Justice institutions (including quasi-judicial agencies)	Other (special districts, authorities, parastatal bodies, etc.)
Consult: These institutions observed or were invited to observe the action plan, but may not be responsible for commitments in the action plan	7 <sup>3</sup>	1 <sup>4</sup>	0	4
Propose: These institutions proposed commitments for inclusion in the action plan	0	1	0	0
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments	7	0	0	1

### Commitment Overview

The five commitments in the Kigoma Ujiji action plan broadly seek to improve transparency and access to government-held information on land ownership, health services, education, water services, and budgeting. The commitments to publish information on health services (Commitment 2) and the municipal budget (Commitment 5) have improved access to information that was previously difficult to obtain or unavailable to citizens. However, it should be noted that information made available through the action plan has been posted online, and may not be readily accessible for all citizens, given low levels of internet penetration in Kigoma. Additionally, the Municipal Council did not begin implementation for two commitments (Commitment 1 on land information and Commitment 4 on water information) during the first year of the action plan. Moving forward, the Municipal Council could ensure citizens without access to internet can access the information made available by posting it in public spaces. It

could also go beyond the disclosure of information by developing mechanisms for citizens to participate in the budget-design process or hold government accountable based on the information provided.

**Table 4. Overview: Assessment of Progress by Commitment**

Table 4. displays for each commitment the level of specificity, relevance to OGP values, potential impact level of completion.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion			Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsens	No evidence yet	Marginal	Major	Outstanding
1. Land transparency			✓		✓						✓		✓					✓			
2. Health services transparency				✓	✓		✓			✓				✓					✓		
3. Education transparency			✓		✓					✓				✓					✓		
4. Water services transparency			✓		✓					✓		✓						✓			
5. Open budget			✓		✓						✓			✓						✓	

### General Recommendations

The Kigoma Ujiji Municipal Council has made notable progress in opening up government practice, despite increased pressure from the national government. That said, it is important to reconsider the role of civil society in the implementation of the action plan. This is particularly critical in light of the

recent decision by the national government to withdraw from OGP, which will significantly limit future support to Kigoma Ujiji in the implementation of its commitments.

In the absence of dedicated support from the District Executive Director, it is crucial for the Mayor and his team to take ownership of the action plan. While the Director offered technical input into the implementation, it is important that the Mayor's office offers the necessary political leadership to keep the process intact. The Council anticipates minimum cooperation from the CMT due to the national government's withdrawal from OGP. The Council should therefore seek opportunities to continue with the implementation by integrating the action plan's commitments into mainstream Council plans.

Concerted and restructured dialogue is key in reaching out to citizens and clarifying expectations. Dialogue will also allow the Council to draw in expertise from a wide range of civil society actors who may have an incentive to participate in following up on the action plan's implementation.

Future action plans could consider current limitations in the co-creation process and expand the scope of the proposed commitments. As the previous plan was driven primarily by the Council Technical Team, it may be timely to review the role of different actors in anticipation of the absence of this team. The next action plan should therefore take into consideration

- Elevating the role of civil society in the implementation of the plan.
- Strengthening the scope for participation for more actors including civil society and private sector to play an active role in the development and implementation of the action plan.
- Anchoring the plan on grass root level leadership i.e. street chairpersons in the implementation.
- Strengthening technical capacity by engaging national civil society organizations like Sikika, Twaweza and Hakielimu to support local civil society in the design and monitoring of the action plan implementation.
- Utilizing various pre-existing accountability structures in Kigoma, such as the Street Assembly meetings and Ward Development Committee meetings, to ensure that newly published information is also available to the public in offline formats.

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<sup>1</sup> "Seven government officers suspended for Sh. 900 million in losses", April 2017, <https://arenazones.blogspot.com/2017/04/7-government-officers-suspended-for-900.html>.

<sup>2</sup> The national government's participation in Kigoma's action plan development was limited to sending a representative to the consultation meeting in August 2016.

<sup>3</sup> Department of Education, Department of Health, Municipal Water Engineer, Municipal Economist/Budget office, Municipal ICT department, Office of the Municipal Director, Community Development Department

<sup>4</sup> a. Kigoma Ujiji Water and Sewerage Authority (KUWASA) b. The Medical Stores Department (MSD) c. The National Examinations Council of Tanzania (NECTA) d. The National Planning Commission



# *Institutional and Subnational Context and Scope of Action Plan*

This section places the action plan commitments in the broader context. The emphasis of the IRM report is on the development and implementation of the OGP action plan. However, to ensure the credibility of the report and of OGP more broadly and to inform future versions of the action plan, researchers are asked to briefly consider the institutional context within which the OGP action plan is framed. Consider significant actions not covered by the action plan that are relevant to OGP values and the entity's participation in the Partnership. The emphasis should be on the specific subnational context, although researchers may make some reference to the broader national context as it affects implementation at the subnational level (in county, referring to ward level or in the Municipality, referring to State and Federal context).

## **Background**

The United Republic of Tanzania was formed out of a union between the island nation of Zanzibar and Tanganyika (mainland) in 1964. While the former remains semi-autonomous, affairs of the mainland are largely taken care of by the union government. Local Government Affairs are the purview of the union government on the mainland and the semi-autonomous Revolutionary Government of Zanzibar in the isles.

According to the 1977 constitution, Tanzania has a unitary system of government in which the president exercises control over the executive, including local government. While local government authorities retain a degree of autonomy in accordance with section 145 of the constitution and the Regional Administration and Local Government Act (1982), they remain largely dependent on the national government for resources and expertise. Under a devolved government system, citizens have the power to vote in their local government leaders while executive officials are appointed and remunerated by the national government.

While local governments like Kigoma Ujiji are entitled to raise their own revenue through local duties and taxes, they rely heavily on transfers from the national government to maintain operations. The national government pays all their salaries and contributes a portion of the Municipal Council's development budget. The national government also regulates expenditures at the local level through direct transfers, as in the case of education and/or basket funds as in the case of health.

There are two main forms of local government in Tanzania, as per the 1982 Regional Administration and Local Government Act: local urban councils (which include municipals, towns and cities) and rural councils, which were formerly called District councils. In some cases, a Town Council is formed for emerging urban centres as a sub set of the District council. The council is the highest authority at the local level and it is made up of all elected ward councilors. Ward Councilors are elected by popular vote and are answerable to their constituents. The Ward Development Committee is the decision-making body at the ward level and is constituted by all street chairpersons, Ward Councilors, the Ward Executive Officer, and other invited guests serving as observers. Below the Ward is the Street Council which is also elected through popular vote. The highest decision making body at the street level is the Street Assembly which meet quarterly to set the agenda for the Street Council. The Street Assembly

participates in formulating budget proposals for their respective street based on the budget ceiling and guidelines received from the District/Municipal Council.

Urban local councils like Kigoma are headed by a Mayor who is elected from among elected ward councilors. The Mayor chairs all local council meetings along with the Deputy Mayor in the absence of the Mayor. The work of the Council is further divided into several committees, such as the Finance and Planning Committee, the Urban Planning, Infrastructure and Environment Committee, the Education and Health Committee, the HIV/AIDS Committee and the Ethics Committee which, unlike the others, is a temporary committee formed on a needs basis. Through the respective committees, the elected Ward Councilors provide oversight to critical sectors of the local government. They work hand in hand with the Council's technical team, which reports to the committees through the Council Director. The committees meet on a quarterly basis to, among other things, propose the Council meeting agenda, which meets three times a year.

The Finance and Planning Committee meets on a monthly basis and since Kigoma Ujiji's joined the OGP Local Program, a standard agenda on OGP has been set. The committee receives a monthly report from the OGP coordinator upon review by the Council Management Team (CMT). The Municipal Council appoints a coordinator from among the CMT to oversee the action plan's implementation and act as the point of contact for the Council and external partners on the OGP process in Kigoma. Besides the coordinator, sector specific coordinators are appointed from among the CMT. For example, the Municipal Education Officer is responsible for the education commitment, while the Municipal Water Engineer is responsible for the water sector commitments. Other officials have a cross cutting mandate, such as the ICT Officer who is responsible for facilitating the publication of information on the Council website.

To formalize the action plan as part of the Council's official policy, a full Council meeting passed a resolution in September 2016 to adopt the OGP Action Plan. The resolution was communicated through a circular during September 2016. Through this circular, the Council outlined the approved the action plan and issued a directive to begin its implementation. This required Council officials to report on the implementation in their respective sectors and that the Council would have a standing agenda item on the OGP process at the Finance and Planning committee and the Council Management Team (CMT) meetings. Subsequently, the CMT periodically discussed the action plan while the Council Finance and Planning Committee also maintained a standard agenda on the plan. The full Council resolution does not, however, amount to a legally binding mandate.

No budget was allocated specifically to support the implementation of the action plan. Council staff were expected to factor in time to fulfill the commitments in the course of their regular work. Under the instruction of the Council Director, responsible officials followed up on the implementation of the commitments and reported back through the CMT.

Despite the Council's commitment to the implementation of the action plan, there remained significant limitations due to the legal control of the national government. Notably, the national government appoints the Council officials (who consequently account to the national government), and the President appoints the District Commissioner, who serves as a liaison between the local and national governments. On a technical level, the national government-appointed District Administrative Secretary is responsible for providing technical oversight over the functions of the local government and the relevant capacity to aid Council officials in the performance of their duties.

In 2017, there were several developments that significantly impacted the OGP process in Kigoma. In March 2017, the initial OGP coordinator, Sultan Ndoliwa, who doubles as the Municipal Water Engineer, was suspended following a scheduled audit at the Council. His role was taken over by Kalila King, the Municipal Economist. Mr. King served as the OGP coordinator and Municipal Economist from April 2017 to October 2017 when he was himself relocated to a new workstation, thus hampering continuity in coordination of the action plan implementation.

In July 2017, the Tanzanian national government wrote to the OGP co-chairs France and Georgia that Tanzania would be officially withdrawing from the Open Government Partnership.<sup>1</sup> The national government indicated that Tanzania would review international commitments (such as OGP and EITI) made by previous administrations with the aim to refocus priorities towards regional benchmarks such as the African Peer Review Mechanism. This did not have an immediate effect on the Kigoma action plan until September 2017 the Permanent Secretary at the Ministry for Regional Administration and Local Government issued a directive to the Kigoma Ujiji Municipal Director to withdraw from all OGP-related activities. The Director then instructed Municipal Council staff to cease their participation in all OGP-related activities, including the implementation of the action plan commitments. The Council Mayor wrote a formal letter to the Permanent Secretary requesting written clarifications on these instructions. Additionally, in November 2017, the Member of Parliament for Kigoma Ujiji requested clarification from the Minister for Good Governance to explain the implications of the government's withdrawal from OGP on Kigoma's participation in the Partnership. The Minister explained that Kigoma Ujiji is required to immediately suspend any activities related to OGP and any attempt to ignore the directive would lead to dissolution of the Council. Since then, Council officials have avoided taking part in any OGP activities.

Furthermore, the Land Department in Kigoma Ujiji was not staffed until September 2017 when a new Land Officer was appointed. This was due to a protracted recruitment process (since 2015) managed by the national government following the retirement of the previous Land Officer. In addition, the Kigoma Ujiji government has been significantly affected by the national government's decision in July 2016 to centralize collection of the critical source of revenue for the subnational government. This move was followed by protests by local traders in Kigoma over the payment of a revised rental fee for the use of stalls offered by the municipality at the local markets. The loss of over 70% of revenue due to centralization of property taxes<sup>2</sup> and the subsequent refusal by local traders to pay revised rental rates have significantly hindered their ability to deliver services. As such, the Council leadership has been spending a lot of time trying to figure new sources of revenue to keep the Council operational.

With the election of the Alliance for Change and Transparency (ACT) Wazalendo party as the majority party in the Municipal Council in November 2015, there was a shift in focus towards transparency, which was instrumental in laying the groundwork for the implementation of the action plan in Kigoma Ujiji. ACT Wazalendo remained committed to the implementation of the action plan, despite the national government's decision to formally withdraw from OGP in July 2017.

## Stakeholder Priorities

Stakeholders initially brought forward 57 commitment proposals during a consultative process initiated by the Municipal Council. The zero draft of these priorities originated through grassroots level government meetings, i.e. the Street Assemblies and the Ward Development Committee meetings held during the awareness-raising period. Participations in these meetings was targeted to residents of the specific wards where they took place. The initial proposals were then discussed at an August 2016

consultation workshop organized by the Council, where information was shared with the public on the OGP process and the implications and obligations for both citizens and officials. The five commitments were based on the most frequent topics proposed by participants at the consultative meetings. At this stage, the proposed five commitments were to address the themes of;

1. Land transparency
2. Health services transparency
3. Education transparency
4. Water services transparency
5. Open budget

During consultative meetings with stakeholders in monitoring the implementation, stakeholders deemed three of these five commitments to be the most critical priorities: open budgets, health services transparency, and land transparency.

Additionally, while more information on the commitments is now available, the dissemination of this information to the public remains a challenge. Most citizens remain largely unaware of Kigoma's participation in OGP, except for a few civil society actors.

In the development of future action plans and given the limited progress recorded towards the commitments on land and water services transparency, the three other priorities (education transparency, health services transparency, and open budgets) could be sustained with a shift in dissemination strategies to encourage further consumption of such data. As a result of the action plan, the Municipal Council has uploaded new and relevant information on the Council website. However, internet penetration in Kigoma remains low, and most ordinary citizens still rely on traditional means to access government information, such as notice boards at local government offices, schools, health centres, as well as local radio.

## Scope of Action Plan in Relation to Subnational Context

While it is not the job of the IRM to tell governments and civil society organizations what can or cannot be in action plans, the IRM Guiding Principles do require the IRM to identify, "The extent to which the action plan and its commitments reflect, in a certain subnational context, the OGP values of transparency, accountability, and civic participation, as articulated in the OGP Declaration of Principles and the Articles of Governance.

Thematically, Kigoma's Ujiji's action plan addresses several major open government issues, particularly land transparency, health services, and open budgeting. However, the final scope of the five commitments was largely influenced by those stakeholders who participated in the consultation meetings, and are thus focused mainly on improving access to relevant government-held information.<sup>3</sup> The focus on access to information can also be attributed to the low baseline, as much of the information was either unavailable to citizens, or very difficult for citizens to obtain. While improving access to information is an important goal, some participating CSOs (such as the Kigoma Development Initiative) mentioned that the commitments could have gone beyond access to information by developing new accountability mechanisms or strengthening existing mechanisms for citizens to use based on the information made available. However, during the two-day consultation workshop to

develop the action plan, stakeholders generally did not express a strong need for greater ambition due to the low baseline in terms of access to information.

In view of the achievements made so far by Kigoma Ujiji in implementing the action plan, despite recent developments that affected the process at the local level, it could prove useful to innovate new ways advancing of OGP priorities beyond the Kigoma Ujiji government itself. As it becomes increasingly difficult to work through the centrally appointed local government staff. The Kigoma Ujiji political leadership should identify critical collaborators from among non-state actors who may be motivated to take a more proactive role in implementing the action plan. In doing so, it is critical to strengthen the dialogue mechanism between civil society and the leadership, empower grassroots-local government leaders, work through grassroots citizens oversight bodies like school committees, health centre committees, and the Ward Development Committee.

Dedicating time and resources for consultation and co-creation is critical in promoting joint ownership of future action plans. As such, it is important that the Municipal Council jointly develop a monitoring plan through which mutual accountability can be maintained between civil society and the government. As the central government becomes less supportive towards the Municipal Council, building a critical mass of supporters for OGP through dedicated coordination with civil society is critical to giving the OGP process in Kigoma the necessary legitimacy.

# *Process of Development and Monitoring of the Action Plan*

## **Process of Development of the Action Plan**

Governments participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation. This section summarizes the performance of Kigoma Ujiji during the development of their first action plan.

## **OGP Basic Requirements**

Subnational Governments received the following guidance on participation during action plan development and execution:

May – November 2016: Development of commitments: Participants set up ways to work with civil society organizations and other groups outside government and use these mechanisms to identify priority areas for commitments. Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones. Draft commitments should be shared with the OGP Support Unit as they are being developed and for comment and advice in October-November. Commitments should be finalized and agreed by the end of November, so they can be published and announced at the OGP Summit in December.

To kick-start the OGP process, the Kigoma-Ujiji Municipal Council (KUMC)<sup>4</sup> initiated a campaign to introduce the concept of OGP to residents of the municipality. At the grassroots level, the Council prepared and distributed briefs to local residents, municipal councilors and their staff, religious leaders, the media, and civil society organizations (CSOs).

General awareness-raising and some level of participation was also enabled through grassroots government structures such as Street Assemblies and the Ward Development Committees, both of which are open to the public as prescribed by the Local Government Authorities' Act (1982). While participation was low at these meetings, they provided opportunities for citizens to engage directly with the OGP consultative process. The Municipal Council used Street Assemblies and the Ward Development Committees to share with the residents of Kigoma Ujiji basic information about the OGP process. However, the IRM researcher did not receive substantial evidence of the use of such platforms for public consultations beyond the claims made by the Municipal Council leadership.

### **Two-day workshop (training and consultative meeting)**

The Municipal Council partnered with Twaweza, a CSO engaged in the OGP process at the national and international levels, to hold a two-day consultative workshop (29-30 August 2016) that also served as an

orientation training on Tanzania’s participation in OGP. The meeting took place in a space provided by the National Social Security Fund (an independent national government agency), and was used to formally begin the action plan development process. The workshop included representatives from civil society, the media, religious institutions, women and youth groups, political parties, and municipal and regional government agencies.<sup>5</sup> The Municipal Council sent invitations to the participating CSO based on the available list of registered organizations at the Community Development Office, though no specific criteria for participation was given, except for the identification of those organizations that have been active, compliant,<sup>6</sup> and are known to be working on areas deemed relevant for open government.

During the workshop, the Municipal Council organized a consultative meeting to create a list of relevant commitments to be included in the action plan. Prior to the meeting, they identified six priority areas based on the priority areas established at the national OGP level. The Kigoma Ujiji’s commitments were tied to the national OGP priority areas because their budget depended on funding the national government. The meeting was attended by over 20 Kigoma-based CSOs and yielded 57 commitment proposals. Participation was targeted at residents of the specific wards where they took place. The Municipal Council used this meeting to share information with the public about the OGP process and the implications and obligations for both citizens and leaders. However, Kigoma Ujiji OGP Senior Staff, together with Twaweza following the consultative meeting, drafted the final five commitments. The thematic focus of the five commitments were based on the most frequent topics proposed by participants at the consultative meeting.

**Government meetings**

On the 31 August 2016, the commitments were ratified by the full Council meeting and formed the basis for the first action plan, following consideration of the proposed commitments by the technical team (Council Management Team) and the Council Executive Team (made of councilors and executives from every ward).

Table 3.1: Basic Requirements

<p><b>1. Participatory Mechanism:</b> Was there a way of working with CSOs and other groups?</p> <p>Guideline: Participants set up ways to work with civil society organizations and other groups outside government and use these mechanisms to identify priority areas for commitments.</p>	<p>Yes</p>
<p><b>2. Priority Identification:</b> Was civil society able to help identify priority areas for commitments?</p> <p>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</p>	<p>Yes</p>
<p><b>3. Commitment Development:</b> Did civil society participate in the development/drafting of commitments and milestones?</p> <p>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</p>	<p>Yes</p>
<p><b>4. Review:</b> Were commitments submitted for review to the Open Government</p>	<p>Yes</p>

Partnership Support Unit prior to finalization?  Guideline: Draft commitments should be shared with the OGP Support Unit as they are being developed and for comment and advice in October-November.	
<b>5. Submission:</b> Were commitments submitted on time?  Guideline: Commitments should be finalized and agreed by the end of November, so they can be published and announced at the OGP Summit in December.	Yes

## Openness of Consultation

### Who was invited?

The Municipal Council invited 120 participants to the two-day workshop (training and public hearing) held in August 2016. Participants were identified from among the list of registered CSOs with the community development department, as well as religious and political leaders in Kigoma Ujiji. The Municipal Council leveraged its existing network of civil society, including trade unions, small business associations as well as private sector representatives. The following stakeholders were invited to participate: Municipal Councilors staff (Head office), staff from the Regional Commissioner's office and District Commissioner's office, the media, religious leaders, 20 CSOs based in Kigoma and municipal staff from the Ward level. The IRM researcher also attended this event.<sup>7</sup> The invitations to participate in this workshop were made through an official letter sent out by the Mayor's office. Ward Development Committees were also used to raise awareness about the workshop.

### How was awareness raising carried out?

Awareness raising was carried out in two phases;

- The first phase involved the distribution of documents outlining the concept of OGP to various stakeholders that were possibly unfamiliar with OGP. These documents were passed through formal meetings, i.e. Street Assembly and Ward Development Committees. These meetings would then help the consultations in identifying priorities for OGP commitments.
- The second phase involved conducting an orientation to create awareness on the concept of OGP, previous action plans developed by Tanzania, and the development of commitments. The orientation immediately preceded the identification of commitments.

As mentioned above, the Municipal Council sent invitation letters to individuals and organizations to participate in the consultation workshop. The Council also advertised the meeting during Street Assemblies. The letters sent out to the Ward Executive Officers and the invitation to the public for the consultation meeting both highlighted the process and roles in the development of the action plan. As such, the procedure for engagement was clearly aimed at allowing maximum input from the public.

### Which parts of civil society participated?

As mentioned above, 20 CSOs participated in the development of the action plan, along with other non-government representatives, such as the media, religious leaders and citizens. In the end, not only were



these groups represented, but the turnout was exceptionally high, with over 200 participants present at the meeting.<sup>8</sup> The IRM researcher, who was present at this meeting, considers that while this was good representation, it did not necessarily lead to a more focused discussion based on the comparative experiences of civil society with the various priority areas within the limited time provided.

The facilitators of the consultative meeting (the two-day workshop) led by Twaweza provided space for robust discussions and debate, thereby allowing for a diversity of views and opinions. Within civil society, there were groups working on the four of the major themes included in the action plan; health services, water, education, and land rights (there were no CSOs working on open budgeting). Participants from varying professional and political backgrounds were provided an equal space for sharing their views. There was a high level of public input as a result of the openness of the consultations as participants were invited to contribute through plenary as well as focus group discussions.

## Level of Public Input

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.<sup>9</sup> This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborative.”

An assessment of Kigoma Ujiji’s 2017-2018 action plan development process indicates a significant effort to consult with a diverse and large group of stakeholders. Mindful of the fact that OGP is a new concept, the Municipal Council disseminated information about the OGP through simple documents on that explained its roles and responsibilities to local residents, Municipal Councilors and staff, religious leaders, the media, and CSOs.

Consultations were held at various levels:

1. The Street Assembly and Ward Development Committee meetings provided an opportunity for citizens to engage in proposing priority areas for consideration into the action plan. At these meetings, deliberate efforts were made to provide awareness about OGP in order for the public to effectively participate. Ward Development Committee meetings were open to the public and the Street Assembly meetings were open to all residents of a given street. In an interview with the IRM researcher, the Municipal Council claimed to have held meetings in all wards. However, the IRM researcher was able to confirm evidence of such meetings in nine out of 17 wards, while no evidence of such meetings at the street level could be obtained.
2. The Council meeting brought together all the councilors from the 17 wards in Kigoma. The Council considered proposals brought forward by the Ward Development Committees after they were reviewed at the Council Executive Meeting (which brings together all Ward Executives and councilors as well as the Council Management Team). The full Council meetings are open to the public and the Municipal Council took steps to install public announcement equipment that allows the public to follow the discussions and deliberations during the Council meeting.
3. The two-day workshop in August 2016, which included the public hearing (consultative meeting), saw participation from a broad spectrum of civil society. Chaired jointly by the Municipal Government and Twaweza, it was the most participatory meeting throughout the process, as many participants were invited to engage in defining the priorities of the action plan. Facilitators from Twaweza kicked off the meeting by explaining the OGP process and what it

means for the people of Kigoma, drawing on experience from the national and international levels. The meeting schedule was designed to allow participants to share their views over what they considered the most pressing priority areas through a plenary session. The plenary session was followed by focused group discussions to review and streamline the priorities into actionable commitments. While the plenary brought up the priorities, participants were invited to vote for what they considered most important. The priorities were grouped during the focus group discussions based on the results of this voting. During the meeting, participants considered the proposals brought forward from the local government meetings and provided input on prioritization and context. These were then taken into consideration in the final drafting of the commitments by the Municipal Executive Office.

Fifty-seven commitment recommendations were brought forward to be considered into the action plan. These were then reduced to only five after being reviewed by the Kigoma Ujiji OGP Senior Staff and Twaweza. However, the action plan does not mention if feedback was provided to the stakeholders who proposed the original recommendations on how their recommendations were included (or not included) into the final five commitments of the action plan. The Municipal Council confirmed to the IRM researcher that the only feedback provided was the approved action plan, which was presented to the full Council besides being posted on the Council’s website. No other means of dissemination was established to allow for continued feedback during the final revisions of the action plan. For the above reasons, the IRM researcher considers that the action plan’s development process reached the level of ‘consult’.

Both the local government meetings and the public hearing were accessible. No deliberate means were put in place to facilitate the participation of any particular group besides the invitation extended from the Council.

**Table 3.2: Level of Public Input**

Level of public input		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve	The government gave feedback on how commitments were considered.	
Consult	The public could give inputs.	✓
Inform	The government provided the public with information on the action plan.	
No Consultation	No consultation	

<sup>1</sup> [https://www.opengovpartnership.org/sites/default/files/Tanzania\\_Withdrawal-Letter\\_Sept2017.pdf](https://www.opengovpartnership.org/sites/default/files/Tanzania_Withdrawal-Letter_Sept2017.pdf).

<sup>2</sup> This was mentioned by the Mayor Hussein Ruhava during his interview with the IRM researcher.

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<sup>3</sup> The IRM researcher had access to the full list of participants and corroborated the attendance of the organizations listed in the IRM public library for Kigoma (See document entitled “List of Participants – Twaweza Consultations August 2016”): <https://drive.google.com/drive/folders/0ByGU03hlyT02aDFrQVozdkRnYW8>.

<sup>4</sup> Kigoma Ujiji Municipal Council is the local government authority established in 1983 in accordance with the Local Government Authorities Act (1982). It serves as the subnational government for Kigoma Ujiji; the port town on the shores of Lake Tanganyika along Tanzania’s western border.

<sup>5</sup> List of participants can be found in the Public Kigoma IRM Library: <https://drive.google.com/open?id=0ByGU03hlyT02aDFrQVozdkRnYW8>.

<sup>6</sup> In accordance with the NGO Act (2002), organizations retain their compliant status when annual returns, programmatic as well as financial reports are filed with the registrar of NGOs, the district community development officer in their respective local government authority.

<sup>7</sup> Full list of participants can be found in the Public Kigoma IRM Library: <https://goo.gl/qNyvyU>.

<sup>8</sup> This figure is based on registration sheets received from Twaweza. It was also suggested that the number could be higher as many participants including the organizers, municipal leaders and government officials did not sign up.

<sup>9</sup> [http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations\\_course/IAP2\\_P2\\_Spectrum\\_FINAL.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf).

# Process of Monitoring Implementation of the Action Plan

## OGP Basic Requirements

Subnational governments received the following guidance on participation during action plan development and execution:

### December 2016 – December 2017: Implementation of Commitments

The guidance below provides more information about the best way to manage implementation of commitments, internal reporting and consultation with civil society throughout.

- Commitments should be developed in partnership with civil society and should seek to engage the widest possible input from citizens. [This note](#) provides guidance about how to conduct successful engagement with civil society and provides advice about ongoing consultation with civil society.
- Governments should conduct regular internal assessment, to make sure that commitments are on track and that there is an ongoing role for civil society. This assessment should be carried out along the lines of the OGP template for self-assessment, to make it easier for the IRM researcher to gather information.
- At regular intervals governments should publish a brief update on progress against commitments and use that as an opportunity to invite any comments. To complement any tracking system, governments are strongly encouraged to maintain a public, online repository of all documents giving evidence of consultation and implementation of commitments.

The Municipal Council met some of the basic requirements during implementation of the action plan. They did not establish a regular multistakeholder forum to monitor the implementation of the action plan. However, there were different mechanisms that the government used to inform the general public and civil society organizations about the OGP process in Kigoma.

#### 1. **Regular updates:**

First, the Municipal Council provided updates on progress of implementation through their regular monthly meetings organized by the Finance and Planning committee. Between January and August 2017, the Municipal Council met eight times and said to have routinely invited CSOs to participate in the general meeting. The IRM researcher did not find evidence of civil society participation in these meetings. Some of the updates (up to June 2017) are available on the Council website. However, none of the civil society representatives interviewed indicated having participated in commenting on such updates whether virtually or through the council official meetings. Additionally, to reach citizens more directly, the KUMC included OGP as a topic of discussion during some Street Assembly meetings, which serve as a space for citizens to discuss ailments and make requests from government officials. However, it is unclear how these topics were broached.

#### 2. **OGP presence in Kigoma:**

The second opportunity the government of Kigoma used to provide information on how the commitments were being implemented was during a visit from the OGP Support Unit to the region in April 2017.

### 3. Two meetings led by Twaweza:

With support from the national civil society organization, Twaweza, KUMC organized a workshop with 10 civil society organizations. The sessions conducted at this workshop were focused on learning more about open government, including how to use local data and to further engage with the Municipality.<sup>1</sup> This meeting had high level representation, with Mayor Hussein Ruhava’s appearance as speaker of the event. Twaweza convened a second meeting, however, outside of the implementation period under review. It was organized in February 2018 to discuss the implications of the national government’s withdrawal from OGP and strategize on how best to continue implementing the action plan in light of this development. At this meeting, civil society resolved to work through a coalition of ten organizations led by the Kigoma Development Initiative and share responsibility among them to monitor the action plan’s implementation.

The KUMC did not create a repository of documents for OGP information. However, it shared relevant documents through their website, although scattered.

Table 3.2: Basic Requirements

<p><b>1. Internal Assessment &amp; Participatory Mechanism:</b></p> <p>a. Did the government conduct regular internal assessments?</p> <p>b. Did the government ensure an ongoing role for civil society in monitoring of the action plan?</p> <p>Guideline: Governments should conduct regular internal assessment, to make sure that commitments are on track and that there is an ongoing role for civil society.</p>	1.a Yes
	1.b No
<p><b>2. Regular Updates &amp; Opportunity to Comment:</b></p> <p>a. Did the government publish updates on progress at regular intervals? [at least once every four months]</p> <p>b. Were civil society organizations provided the opportunity to comment on progress of commitment implementation?</p> <p>Guideline: At regular intervals governments should publish a brief update on progress against commitments and use that as an opportunity to invite any comments.</p>	2.a Yes
	2.b No
<p><b>3. Online Repository:</b></p> <p>a. Did the government create a public online repository of documents?</p> <p>Guideline: To complement any tracking system, governments are strongly encouraged to maintain a public, online repository of all documents giving evidence</p>	3.a No

## Openness in Consultation

### Who Was Invited?

According to interviews with KUMC, CSOs were invited to participate in the Council’s Finance and Planning Committee meetings. However, there is no evidence of these invitations. The Council, however, suggested having invited at least eight CSOs on various occasions during feedback sessions on implementation. These include Kigoma Development Initiative (KDI), KIOO, Kigoma Ujiji NGO Network (KIUNGONET), Kigoma Women in Development Group (KIWOGE), Nyakitonto Youth for Development Tanzania (NYDT), TOMSHA Network, and Kiota Women’s Health and Development Organization (KIWOHEDE).

### How Was Awareness Raising Carried Out?

The IRM researcher could not find evidence of the Municipal Council having provided any rules for engagement in relation to the monitoring the action plan’s implementation. There were not specific timelines, deliverables or methods set for consultation beyond the invitation to the Council meetings. In the absence of a formal multistakeholder forum, there were no rules on how one could formally participate in the consultations.

### Which Parts of Civil Society Participated?

The Municipal Council reported that eight CSOs participated throughout the different mechanisms explained above. Civil society organizations interviewed, report a coalition of ten organizations taking part, mainly during the two events led by Twaweza.

## Level of Public Input

The IRM has adapted the International Association for Public Participation (IAP2) Scale of participation for use in OGP. The table below shows the level of public influence on the implementation of the action plan. From left to right, features of participation are cumulative. In the spirit of OGP, most countries should aspire for “collaborate.”

The KUMC led efforts to keep civil society organizations and citizens informed about the process of implementation of the action plan. The meeting held by Twaweza in July served as a congregating event to motivate participants in open government. However, during this event, and others such as the eight Council meetings, government representatives only provided information on progress without giving feedback to explain whether public inputs were being considered and how.

As there was no formal multistakeholder forum established to monitor implementation, it was difficult to provide feedback and engage. As such, the IRM researcher rates the level of public input at “inform”.

Table 3.2 Level of Public Input

Level of public input		During implementation of the action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve	The government gave feedback on how commitments were considered.	
Consult	The public could give inputs.	
Inform	The government provided the public with information on the action plan.	✓
No Consultation	No consultation	

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<sup>1</sup> Twaweza 2017 Annual Report, Page 28, <https://twaweza.org/uploads/files/Twaweza%20Annual%20Report%202017.pdf>

# Commitments

## I. Land Transparency

### Commitment Text

*Publish the Council's Master Plan online with details [about] information of all Land uses, Planned areas, Unplanned areas and Open spaces by July 2017.*

*Transparency on land issues to ensure fair, equitable and efficient governance of land matters and to reduce land conflicts, have in place data for revenue collection and future Municipal development.*

*The main objective is to prepare and have accessible online Municipal land use plan (with detailed information of all demarcated and titled land, unoccupied land and open spaces available for public use, reduce land conflicts as a results of information not being known, Municipal to have correct data for revenue collection/management and to have proper future plan for Municipal development.*

### Milestones

*1.1. Publish the council's General Planning Scheme (Land use Plan) online for public use on January 2017*

*1.2. Publish information on all measured and land titles issued, placed on the website of the Municipality for public use quarterly*

*1.3. Publish information on unoccupied spaces in the Municipality for public use quarterly*

### Commitment Overview

Status of Completion	Not Started
Start Date	January 2017
Intended Completion Date	July 2017
Responsible Office	Ministry of Lands, Housing and Human Settlement-Department of Urban Planning, Land and Natural Resources Ministry of Regional Administration and Local Government- Municipal Information, Communication and Technology Officer
Did It Open Government?	No change

Is it a STAR commitment?

Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a "transformative" potential impact if completely implemented.
- Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

No



Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete	Worsens	No change	Marginal	Major	Outstanding
I. Overall			✓		✓					✓		✓						✓			
I.1. General Planning Scheme published online			✓		✓					✓		✓									
I.2. Publish information on all measured and land titles issued			✓		✓					✓		✓									
I.3. Publish information on unoccupied spaces in the Municipality		✓			✓				✓			✓									

## **Commitment Aim**

### Overall Objective & Relevance

Land has been a source of conflict in Kigoma Ujiji due to its scarcity and the lack of transparency and accountability on land management. Currently, citizens must go through a complex and cumbersome process through the Municipal Land Department to purchase and legally register their land, including searching for ownership and identifying the status and price of a given plot of land, which can only be accessed through a formal written request to the Municipal Land Department. Despite the existence of a national Access to Information Act,<sup>1</sup> the Municipal Council has faced challenges in enforcing the Act, as no guidelines are in place for its implementation. Additionally, Kigoma residents have held demonstrations protesting long standing land disputes and CSOs have denounced corrupt practices in the Municipal Land Department (including cases of double allocation and illegal allocation of land).<sup>2</sup> Poor accountability on land management in Kigoma has also contributed to inequality as only a few people with access to the Municipal Land Department are able to claim their own land. This provides an incentive for those working in the Land Department to use the lack of information to pursue illegal sale of land in the municipality.

In light of these issues, this commitment aims to promote transparency on land issues and ensure fair and efficient governance of land by publishing online (1) the Council's General Planning Scheme (Land use Plan), (2) information on all land titles issued, and (3) information on unoccupied spaces in the Municipality for public use. The commitment is relevant to the OGP value of access to information as it plans to reduce potential obstacles for accessing information that was previously difficult to obtain by publishing it online. As citizens increasingly gain access to information on the allocation and the ownership of land they would be able to credibly demand accountability for the same. The information offers citizens new tools, which they use to enforce accountability from their leaders involved in land governance. However, although this commitment could significantly strengthen the ability of citizens to hold their leaders including those responsible for land governance to account, it does not explicitly call for the creation of a mechanism that calls on government members to justify their actions or respond to citizens' feedback.

### Specificity and Potential Impact

The IRM researcher considers this commitment to be of medium specificity. It contains verifiable activities that involve the publication of information on land titles and indicates broad timelines when such publication is expected. However, it does not provide a roadmap to detail the process through which the information will be published, including how it will be verified. It also lacks specificity with regards to the format in which it would be published and the way this information would be accessed by citizens.

The intended results are a transparent and accessible land use plan and land use database that provides credible information on land allocation across the municipality. The intended beneficiaries are two pronged; citizens will be able to obtain credible information on land allocation, and the increased transparency will help the Municipal Council collect revenue on land ownership.

The fulfillment of the commitment and its milestones could contribute to significantly reducing land conflicts in the municipality. By disclosing information on available land, land use plans, and land

allocation, corruption in the lands sector could be significantly reduced and the cost of accessing land for many citizens could decline as such information is made available online. Also, greater access to land information could contribute significantly to the economic empowerment of the citizens of Kigoma Ujiji, as many depend on their land for other economic activities including accessing much needed credit from financial institutions. This could represent an important government culture shift, considering that publishing this type of information is not the standard government practice. In light of these potential advances, the IRM researcher believes that this commitment could have a potentially transformative impact on access to land information in Kigoma Ujiji. However, it is important to state that its success is also dependent on the quality of the information being published, as well as the government's capacity to respond to the possible surge in citizen complaints. Additionally, the exclusive focus on online publication, though an improvement to the status quo, might not reach as many citizens in Kigoma as possible, due to low levels of internet penetration in the region.

### **Completion**

#### ***Not started***

Implementation of this commitment was not started. The Kigoma Ujiji Mayor informed the IRM researcher that this commitment was delayed because the Council's Master Plan was not developed in time, which would have laid out the framework for the three milestones to be achieved. Various factors prevented the development of the Master Plan. First, the incumbent Land Officer left office in 2015, and the position was not filled until September 2017. The hiring process for the new Land Officer is done at the national level and the Council had to wait for this position to be appointed by the responsible Ministry of Land, Housing and Human Settlements. In the absence of the Land Officer, it was impossible to develop and approve the Master Plan. In another event, the land registry office was affected by a fire outbreak in 2015, which resulted the loss of important records. Since then, the Land Department has worked towards replenishment its records, some of which are being obtained from the Ministry. This has mainly affected the Council's ability to gather information on land ownership in Kigoma Ujiji.

Civil society leaders on land transparency (i.e. the Kigoma Development Initiative) confirmed that very limited progress has been attained with this commitment. In an interview with the IRM researcher, the Executive Director of Kigoma Development Initiative explained that there has been attempts to digitize the Council's Master Plan. However, these had been unsuccessful in the absence of an approved plan in the first place. A detailed Land Master Plan was submitted to the Council for approval in November 2017 in order to continue with the implementation of the commitment. However, the Mayor informed the IRM researcher that full Council approval only came in July 2018 and has since been submitted to the regional office and Ministry of Land for endorsement.

### **Early results: did it open government?**

#### ***Access to information: No change***

Between January and December 2017, this commitment aimed to improve transparency in the management of land in Kigoma Ujiji by allowing citizens to access more reliable information on land. The commitment was likely to have a transformative effect on the minimal access to information on land that existed prior to the action plan. However, the commitment was not started due to unprecedented delays in the development of the Council's Master Plan, which resulted from the lack of relevant staff at the Municipal Land Department. As such, there is no evidence of changing government behavior to enhance transparency and accountability in the management of land.

## Recommendations

Given that a new Land Officer was appointed (in September 2017), it is imperative that the Municipal Council puts more energy towards publishing the Council's Master Plan, which was approved in July 2018. The publication of the plan should go hand in hand with the disclosure of the land use plan, information on unoccupied spaces, open spaces, and all surveyed land and land titles. To achieve this, the Municipal Council will need to work closely with the Ministry for Land, Housing and Human Settlements, along with non-state actors like the Cadastre Foundation and Kigoma Development Initiative who are active in these issues.

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<sup>1</sup> Available at: [http://parliament.go.tz/polis/uploads/bills/1466686784-A%20BILL%20-THE%20ACCESS%20TO%20INFORMATION%20ACT,%202015%20\(2\)%20\(FOR%20PRINTING\).pdf](http://parliament.go.tz/polis/uploads/bills/1466686784-A%20BILL%20-THE%20ACCESS%20TO%20INFORMATION%20ACT,%202015%20(2)%20(FOR%20PRINTING).pdf).

<sup>2</sup> There has not been a lot of documentation of the land conflicts in Kigoma except for a few media reports including: <http://www.ippmedia.com/sw/minister-lands-welcomed-protest-kigoma-region>. This claim was however raised numerous times during the IRM researcher's meeting with the NGO; Kigoma Development Initiative and confirmed during a meeting with the Council Senior Management team including the Lands Officer.

## 2. Health Services Transparency

### **Commitment text**

*Disclose information on the receipt of funds, medicines and medical supplies, distribution of medicines, medical supplies and patients treated on the website of the Municipality July 2017.*

*The main objective is to manage medical commodities in the Municipal Council by tracking the whole supply chain from Medical Store Department (MSD) to the final consumer and bring about transparency and accountability in health sector.*

*With the use of developed computer Software, the Municipal Council can manage and disclose online information on funds received, medical supplies, distribution of medicines, number of patients treated, the number of deaths, births, what kind of medical supplies to be ordered and when. Accountability and access to information to the public will be enabled.*

*Municipal Council intend[s] to use a computer Software called OKOA developed by a local resident of Municipality to manage medical supplies in the Council and provides public access to information.*

### **Milestones**

- 2.1. Publish Receipt of funds for the purchase of medical support and their allocation for public use monthly*
- 2.2. Publish Medical supplies procured for designated hospitals, health centres and dispensaries for public use monthly*
- 2.3. Publish the availability of medication in designated hospitals, health centres and dispensaries for public use monthly*
- 2.4. Publish the number of patients treated in designated hospitals, health centres and dispensaries and the most common diseases treated for public use monthly*
- 2.5. Publish Treatment prices for public use monthly*
- 2.6. Publish Reports of births, deaths and disease outbreaks for public use monthly*
- 2.7. Publish Health sector infrastructure, furniture and staffing levels for public use monthly*

### **Commitment Overview**

Status of Completion	Substantial
Start Date	January 2017
Intended Completion Date	July 2017
Responsible Office	Department of Health, Social Welfare and Nutrition, Kigoma Municipality
Did It Open Government?	Major

<p>Is it a STAR commitment?</p> <p>Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:</p> <ul style="list-style-type: none"> <li>- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.</li> <li>- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.</li> <li>- The commitment would have a "transformative" potential impact if completely implemented.</li> <li>- Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.</li> </ul>	No
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Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete	Worsens	No change	Marginal	Major	Outstanding
2. Overall				✓	✓			✓			✓				✓				✓		
2.1. Publish receipt of funds monthly				✓	✓			✓			✓				✓						
2.2. Publish medical supplies monthly				✓	✓			✓			✓			✓							
2.3. Publish the availability of				✓	✓			✓			✓			✓							

medication monthly																	
2.4. Publish the number of patients treated			✓	✓			✓			✓					✓		
2.5. Publish treatment prices			✓	✓			✓			✓					✓		
2.6. Publish reports of births, deaths and disease outbreaks			✓	✓			✓			✓		✓					
2.7. Publish health sector infrastructure, furniture and staffing levels monthly			✓	✓			✓			✓		✓					

**Commitment aim**

Overall Objective & Relevance

Residents in Kigoma Ujiji often face poor access to quality health services and medical supplies, as well corruption in the health sector. Over 94% of the municipal health budget comes from the national government.<sup>1</sup> According to the latest Public Expenditure and Financial Accountability (PEFA) Program evaluation from July 2016, Kigoma Ujiji Municipal Government (KUMG)’s overall score on the credibility of the budget sits at D (equivalent to 2 out of 8 – 1 being the lowest score and 8 the highest), largely because of the low predictability in transfers from the national government.<sup>2</sup> According to the action plan, the lack of sufficient funds and transparency in the way the national government disburses them, affects the quality of services and leads to citizen distrust.

In light of these circumstances, this commitment seeks to fully disclose information on the receipt of funds, medicines and medical supplies, the distribution of medicine, medical supplies and treated patients on the Municipality’s website by July 2017. This will contribute to transparently managing medical commodities in the Municipal Council by tracking the whole supply chain from medical store department (MSD) to the final consumer and bring about transparency and accountability in the health sector. The commitment is broken down into several milestones, specifying which information is to be made public and with what periodicity.

The Municipal Council’s objective was to increase the disclosure of health services data in order for citizens to be fully aware of the state of health services provision. This was to be achieved through an online platform ([www.okoa.co.tz](http://www.okoa.co.tz)) that allows citizens and government officials to track in real time the

availability of both human resources, as well as essential medical supplies. Citizens would be able to confirm availability of both before visiting a health center. Therefore, the commitment is relevant to the OGP values of access to information and technology and innovation for transparency and accountability.

#### Specificity and Potential Impact

The IRM researcher considers this commitment to be of high specificity as the milestones include a list of documents and/or information to be made public and specific timelines for delivery. The commitment also clearly indicates the method of publication i.e. through the Council website as well as the online platform [www.okoa.co.tz](http://www.okoa.co.tz).

The fulfillment of the commitment could significantly improve public confidence in health services provision in Kigoma. According to a report by Sikika, an NGO focused on promoting accountability in the health sector, corruption in health is mainly attributed to failure of the existing health governance framework.<sup>3</sup> Citizens are unaware of critical information related to health services and even when they obtain access to such information, they often do not use available accountability structures at facilities. Consequently, those working in the health sector find no incentive to deliver the services transparently. On the other hand, in a recent poll titled 'Health check: A citizen diagnosis of health sector challenge' Twaweza notes that 70% of Tanzanians who attend public hospitals/health facilities are unable to obtain essential medicines and other medical supplies.<sup>4</sup> Among other factors, this is attributed to poor disbursement of funds from the national government, which inhibits the ability of the Council to purchase and deliver essential medicines and supplies. Residents of Kigoma, therefore, often do not receive satisfactory health services. Council's officials often receive complaints and accusations of embezzlement due to the unavailability of essential medical supplies. This contributes to a loss of public confidence between health workers and patients, thus affecting the quality of services rendered.

The commitment calls upon the publication of the information with the use of an online tool called OKOA. Although this is a major step forward, considering this data is currently unavailable, the disclosure of health-related information using only an online resource is limited in scale. While there are no official statistics for internet penetration in Kigoma Ujiji, in Tanzania broadly, only 11.3% of the population have access to the internet.<sup>5</sup> The main means of communication with citizens of Kigoma is not through the internet, but through Street Assemblies, ward meetings and other in-person means. However, because this information has never been made systematically available, this commitment could contribute to a moderate change in access to information, particularly at the health center level.

#### **Completion** **Substantial**

Overall, this commitment's implementation has been substantial. Between July and December 2017, the IRM researcher was able to confirm that most of the information had been published (in English and in Kiswahili) on the OKOA platform in accordance with the commitment milestones and in a user-friendly format. For example, the platform allowed users to search for available medicine by medical facility, and view a list of health centers in Kigoma Ujiji by wait time (this information was available only in the Kiswahili version of the platform).

However, at the time of writing this report, the OKOA platform is inactive, and has not been updated since December 2017 (updated twice: in July and August 2017), when the funding initially received to develop the platform ended. Notably, at the time of writing this report, the "Statistics" tab is no longer accessible, despite having been accessible in the Kiswahili version in 2017.<sup>6</sup> Most of this information has



now been migrated to the Council's website where the Council Management Team has asked the Council's information officer to update information on a quarterly basis.

The IRM researcher reviewed the available information while visiting the Council's website (<http://www.kigomaujjimc.go.tz/announcements/3>). However, information on births and deaths (Milestone 2.6) is currently missing as well as information on the availability of health-related infrastructure (Milestone 2.7). The IRM was able to confirm that information on the price and availability of medicine (Milestone 2.47) is now published on the council website as well as funds, medical supplies received (Milestone 2.1<sup>8</sup>) and the number of patients (Milestone 2.5<sup>9</sup>) attended at the various health centers in Kigoma Ujiji. The website, however, does not present any evidence of quarterly updating beyond June 2017 when the last update was published.

### **Early results: did it open government?**

#### ***Access to information: Marginal***

Prior to the establishment of the OKOA platform, citizens in Kigoma Ujiji did not have the means to track the availability or prices of essential medical supplies at health facilities. The new platform [www.okoa.co.tz](http://www.okoa.co.tz) allows citizens to access critical health sector information including the availability of essential medicines, health workers, pricing information, funds receipt, and basic statistics on number of patients attended etc. However, while the OKOA platform is an important initiative in terms of access to health sector information, the infrequency of updates to the platform (not updated since December 2017) limits its practical accessibility. Also, although civil society notes that the software is a major improvement to the status quo, they also point to its limited practical reach, as many citizens are unable to access the web-based platform. However, the Municipal Council has not frequently updated the platform since the original funding received through an MCC/PEPFAR project ended in April 2017. On the other hand, the application has not served to reinforce existing health governance mechanisms through which accountability in the sector ought to be enforced.

### **Recommendations**

OKOA is an important innovation with significant potential to improve access to health sector information. Nonetheless, for OKOA to be effective it is imperative that it contributes to strengthening existing health governance structures and mechanisms. Such structures include the Health Facility Governance Committee, the Street Assembly Social Services committee, the Ward Development Committee and the Council Standing Committee on Health and Education. It is important to target these structures, as they have the incentive to monitor progress in the health sector and enforce accountability.

In order to enhance the impact of the platform, it is also important to provide an offline interface that allows citizens with limited access to internet to also interact with the platform. This could be achieved through the development of an Unstructured Supplementary Service Data (USSD) application through which citizens can access the relevant data.

Lastly, despite the readily availability of information however, there is no dedicated feedback mechanism that would provide citizens with the opportunity to give feedback and influence decision making in relation to the health sector. As such, the Kigoma Ujiji government could establish a new means for reinforcing accountability in the health sector based on the information made available through this commitment.

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<sup>1</sup> This is according to the most recent Sub-national (Local Government) PEFA Assessment in Tanzania – Kigoma Ujiji Municipal Council commissioned in 2016 by the Ministry of Finance.

<sup>2</sup> PricewaterhouseCoopers, “Sub-national (Local Government) PEFA Assessment in Tanzania”, (October 2016), page 9, [https://pefa.org/sites/default/files/TZ-Jul16-PFMPR-SN-Final%20Consolidated%20Report\\_1.pdf](https://pefa.org/sites/default/files/TZ-Jul16-PFMPR-SN-Final%20Consolidated%20Report_1.pdf).

<sup>3</sup> Sikika (2014) Institutional factors influencing petty corruption in the public health sector in Tanzania. Available at <http://sikika.or.tz/wp-content/uploads/2015/05/Petty-Corruption-Study-Booklet-ENGLISH.pdf>.

<sup>4</sup> <http://www.thecitizen.co.tz/News/70pc-lack-drugs-in-hospital--Twaweza/1840340-4077556-3teqyu/index.html>.

<sup>5</sup> Internet World Statistics, Tanzania: <http://www.internetworldstats.com/africa.htm#tz>.

<sup>6</sup> The IRM compared the current website (<http://www.okoa.co.tz/>) with an earlier archived version of the website from December 2017, available at [https://web.archive.org/web/20171221045325/http://okoa.co.tz:80/public\\_statistics.php](https://web.archive.org/web/20171221045325/http://okoa.co.tz:80/public_statistics.php).

<sup>7</sup> <http://www.kigomaujijimc.go.tz/announcement/gharama-za-matibabu-kwa-vituo-vya-afya-ndani-ya-manispaa-kigoma-ujiji>

<sup>8</sup> <http://www.kigomaujijimc.go.tz/announcement/fedha-za-mradi-wa-afya-mpango-wa-taifa-kudhibiti-magonjwa-yaliyokuwa-hayapewi-kipaumbele-may-2017>

<sup>9</sup> <http://www.kigomaujijimc.go.tz/announcement/taarifa-ya-wagonjwa-waliohibiwa-july-2016-hadi-machi-2017>

### 3. Education Transparency

#### **Commitment text**

*Posting Education sector data and receipts of free education fund online by July 2017*

*Education is a sector of exceptional importance. It serves a large part of the population of the Municipality including parents, teachers, students and other stakeholders. Given its size, the transparent provision of services will help build confidence among these actors and encourage some to contribute to the growth and the provision of better education. The council plans to publish information relating to the provision of education services for use by the public.*

#### **Milestones**

- 3.1. Publish Education funding received each month by each primary and secondary school for public use*
- 3.2. Publish Expenditure per month on education by each primary and secondary school for public use*
- 3.3. Publish Funds received and spent on education sector development projects for public use monthly*
- 3.4. Publish the number of students, teachers, and non-teaching staff for each school for public use*
- 3.5. Publish the number of classrooms, offices, latrines, desks, chairs, tables, teachers' houses and fences, showing needs, existing and shortage for each school for public use monthly*
- 3.6. Examination results and schools' rankings on national, regional and council lists for public use*

#### **Commitment Overview**

Status of Completion	Limited
Start Date	January 2017
Intended Completion Date	July 2017
Responsible Office	Department of Primary Education Department of Secondary Education
Did It Open Government?	Marginal

<p>Is it a STAR commitment?</p> <p>Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:</p> <ul style="list-style-type: none"> <li>- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.</li> <li>- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.</li> <li>- The commitment would have a "transformative" potential impact if completely implemented.</li> <li>- Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.</li> </ul>	No
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	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete	Worsens	No change	Marginal	Major	Outstanding
<b>Commitment Overview</b>																					
<b>3. Overall</b>			✓		✓						✓				✓				✓		
<b>3.1. Publish education funding</b>			✓		✓						✓					✓					
<b>3.2. Publish expenditure per month on education</b>			✓		✓						✓					✓					

3.3. Publish funds received and spent on education			✓		✓							✓						
3.4. Publish the number of students, teachers, and non-teaching staff			✓		✓							✓						
3.5. Publish the number of existing and shortage of school infrastructure			✓		✓							✓						
3.6. Examination results and schools' rankings			✓		✓							✓						

### Commitment aim

#### Overall Objective & Relevance

Over the last five years, Kigoma Ujiji has ranked among the bottom five districts in the Tanzania in education outcome.<sup>1</sup> Available data through the open data portal (<http://opendata.go.tz>) suggests Kigoma has one of highest teacher-pupil ratios in the country, which contributes significantly to declining education results in the area. According to the Municipal Council, the lack of available funds has resulted in a low number of teachers against the growing enrollment and low investments in education facilities due. The government of Tanzania announced in 2015 that it would provide education free of tuition in all public schools in the country.<sup>2</sup> The decision led to the direct transfers of the capitation grant to public schools.<sup>3</sup> However, these funds (amounting to \$7<sup>4</sup> per student) are insufficient to meet the learning needs for schools. Before this announcement, parents made monetary contributions to the schools. Also, according to the Municipal Council, this decision has deterred the participation of parents in contributing to education development in the region.<sup>5</sup>

There is also a lack of awareness among citizens regarding the local government's limited funding and control over funding decisions in the education sector, as there is a general perception that education costs are adequately covered by the central government and citizens are not required to contribute.<sup>6</sup> The lack of information on education financing has made it difficult for the public to hold schools and the Council accountable for poor education results, and discouraged the School Management Committees from proactively supervising the quality of education in their respective schools. As citizens are unaware of the funding gap in the education sector, they consistently blame elected officials for the poor

performance without acknowledging the limited resources available to them in the form of capitation grants.

In light of this context, this commitment plans to publish online all information/data on the education sector by July 2017. Among its milestones, it calls for the monthly publication of various documents regarding the expenditure of funds and available resources in the education sector. The publication of education data makes the commitment relevant to the OGP value of access to information. Through full disclosure of data related to performance, human resources, infrastructure, number of students, and financial data on education, citizens would benefit from credible data in relation to disbursement and utilization of funds. On the other hand, the government could benefit from such transparency, as it could make it easier to monitor the allocation of funds. Opening up education data in Kigoma Ujiji could serve as an incentive for citizens to participate in monitoring performance in the education sector and contribute to such results themselves.

#### Specificity and Potential Impact

The IRM researcher considers the commitment to be of medium specificity. The commitment includes a timeline on when the data is to be published and the frequency at which the data will be disclosed. However, it only mentions that it will be published online without clarifying where it will be published or the process through which it will be accomplished. Also, the format that will be used to publish the information is unclear.

Given that access to education information is currently very limited, this commitment could represent a significant change in how government officials disclose data. Additionally, it could provide the tools for citizens with internet access to monitor government performance in the sector and use available mechanisms (such mechanisms include the School Management Committees, Street Assemblies, and the Ward Development Committee meetings) to hold officials accountable for not fulfilling their community's educational needs. However, it is not clear how the publication of this data could transform the status quo: improving the municipality's performance in the education sector or reaching the previous level of monetary contributions from parents and the community. The commitment could have been more ambitious by calling for the full disclosure of information in a reusable format in to better ensure that Kigoma residents can access and use the information. For these reasons, the commitment is could have a moderate potential impact on access to education information in Kigoma.

#### **Completion** **Substantial**

This commitment saw substantial completion. Only Milestone 3.4 is considered incomplete, as the IRM researcher was unable to find evidence on the Municipal Council website or elsewhere of the publication of data on the availability of the number of students, teachers, and non-teaching staff. The IRM researcher found on the Council's website information on funds disbursement, examination results, and expenditure of education development funds.

The Kigoma Ujiji government reports significant progress towards this commitment as a reasonable portion of the milestones has been completed. The IRM researcher verified the publication of data on education funds received and disbursed (Milestone 3.1<sup>7</sup>), expenditure per month of such funds (Milestone 3.2), the number of existing and shortage of infrastructure (Milestone 3.5<sup>8</sup>). This information is available on the Council website <http://www.kigomaujijimc.go.tz/announcements/2>, while examination results and school rankings (Milestone 3.6) are published both on the website as well as on the National

Examinations Council of Tanzania (NECTA) website.<sup>9</sup> Finally, information on enrollment has also been made available on the Council website (Milestone 3.4<sup>10</sup>).

### **Early results: did it open government?**

#### **Access to information: Marginal**

Prior to the development of this commitment, there was limited participation of citizens in the education sector development. Lack of public interest and publication on the funding of schools contributed to poor education outcomes. The commitment would contribute to moderately improving this trend, as citizens would be able to monitor government performance in the education sector through increased access to information. However, beyond the publication of data, most citizens are unaware of such information and are therefore unable to engage in the sector. Indeed, feedback from civil society suggests a lack of awareness about the progress made towards implementing this commitment. While some information has been published on the Council website, there is no evidence of its utilization by civil society.

While the publication of critical data on education marks an important step forward in promoting transparency in the education sector, in the absence of a strategy for engagement of citizens, there does not seem to be significant impact of such transparency. The absence of critical actors from both civil society and grassroots-level government has had a limiting effect on the commitment.

#### **Recommendations**

The disclosure of education data is an important first step towards enhancing accountability in the education sector. However, Kigoma Ujiji's experience suggest that data publication in itself is not sufficient to promote active participation or accountability among citizens. Moving forward, the Kigoma Ujiji government should work closely with school committees, as well as civil society and local media to promote the information that is made available. The publication of data should also be made in offline formats, including school noticeboards where citizens have much easier access.

Working through grassroots government is also key for encouraging broader citizen participation in the education sector, due to its proximity to citizens' daily lives. There is no evidence of a strategy for dissemination and engagement of this information, such as working through existing governance structures like the school committees, the street governments, or the Ward Development Committees. These governance mechanisms provide more room for citizens to directly participate in holding officials accountable.

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<sup>1</sup> This is according to both the national examination council results available at [https://www.necta.go.tz/results/2017/psle/results/reg\\_06.htm](https://www.necta.go.tz/results/2017/psle/results/reg_06.htm) and the Uwezo Learning Assessment reports available at <https://www.twaweza.org/uploads/files/Tanzania%20Report%202017%20Web%20Version.pdf>.

<sup>2</sup> Prior to 2015, public schools in Tanzania were free only up to the primary school level. After 2015, public junior high schools were also made free.

<sup>3</sup> Capitation grant is a central government grant offered directly to service providers i.e. schools to cover the cost of offering such services.

<sup>4</sup> <https://www.twaweza.org/uploads/files/Sauti%20Brief%20Eng.pdf>

<sup>5</sup> This is suggested by the Council in the action plan

<sup>6</sup> <http://www.thecitizen.co.tz/News/New-report-highlights-effects-of-free-learning/1840340-3879536-ky79dcz/index.html>.

<sup>7</sup> <http://www.kigomaujijimc.go.tz/announcement/mgawa-wa-fedha-sekondari>

<sup>8</sup> <http://www.kigomaujijimc.go.tz/announcement/miundombinu-ya-shule-msingi-2017>

<sup>9</sup> For the Council website, see: <http://www.kigomaujijimc.go.tz/announcements/>, for the NECTA website, see:

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[https://www.necta.go.tz/csee\\_results](https://www.necta.go.tz/csee_results)

<sup>10</sup> <http://www.kigomaujjimc.go.tz/announcement/uandikishaji-wanafunzi-sekondari-hadi-januari-2017>



## 4. Water Services Transparency

### Commitment text

*Information on water services, sewerage, water sources and sewage ponds available for public access and use by July 2017.*

*Citizens demand high quality public service provision, by adopting open data and participatory planning for water point, distribution and monitoring of water supply can be managed. Proactively publishing data will help to identify amount of water use, access point location, management, consumption, and quality and investment decision. This can engage the wider community in service improvement and planning appropriate reforms. Kigoma Ujiji Municipal Council intends to publish information online so as to allow citizen voices in policy planning and to direct infrastructure investments where they are needed most.*

### Milestones

- 4.1. Provide status reports on access to clean water and waste water every month for each street*
- 4.2. Publish information network of water supply and sewage networks to the entire Municipality quarterly*
- 4.3. Disclosure of revenue and expenditure on clean water and sewage projects every month*
- 4.4. Publish information on water sources and wastewater pools monthly*

### Commitment Overview

Status of Completion	Not Started
Start Date	January 2017
Intended Completion Date	July 2017
Responsible Office	Department of Water, Municipal ICT Section
Did It Open Government?	No change

<p>Is it a STAR commitment?</p> <p>Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:</p> <ul style="list-style-type: none"> <li>- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.</li> <li>- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.</li> <li>- The commitment would have a "transformative" potential impact if completely implemented.</li> <li>- Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.</li> </ul>	No
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Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete	Worsens	No change	Marginal	Major	Outstanding
4. Overall			✓		✓						✓		✓					✓			
4.1. Provide status reports on access to clean water and waste water			✓		✓						✓		✓								
4.2. Publish information network of water supply			✓		✓						✓		✓								

and sewage networks																	
4.3. Disclosure of revenue and expenditure on clean water and sewage projects			✓		✓						✓		✓				
4.4. Publish information on water sources and wastewater pools			✓		✓						✓		✓				

### Commitment aim

#### Overall Objective & Relevance

According to the action plan, citizens of Kigoma Ujiji face poor access to water services and sanitation facilities, with only 40% of the population connected to the current water supply network, and many are unable to find out when water will become available in their households.<sup>1</sup> The water authority is the Kigoma Ujiji Water and Sanitation Authority (KUWASA) which reports to the water sector regulator (the Energy and Water Utilities Regulatory Authority -EWURA). KUWASA receives central government subsidies by law. However, KUWASA is not obliged by law to disclose information related to their finances, even though the Municipal Council has the mandate to scrutinize them. Ultimately, KUWASA is accountable to the Ministry for Water and Irrigation in accordance with the law. Data related to KUWASA’s finances and operations is not available, making it difficult for citizens to monitor the provision of water services in Kigoma Ujiji. In light of the limited accessibility of water and sewage services amidst growing demand,<sup>2</sup> this commitment aims to make information on water services, sewerage, water sources, and sewage ponds available to the public by July 2017.

The intended result is to provide the public with reliable access to credible information on water and sanitation services. The commitment is relevant to the OGP value of access to information because the publication of information water resources will provide citizens with access to critical government-held data that was previously unavailable.

#### Specificity and Potential Impact

The commitment has medium specificity. The commitment provides broad timelines of when it will be achieved as well as the timelines for the attainment of the individual milestones. It also proposes milestones that could be easily verified. However, the process through which such publication will be made lacks detail, especially regarding the format of the data and how it will be presented.

If implemented fully, the commitment could represent a major change for citizens, considering the current lack of accessibility to water resources in the municipality. If the information published is easy to access and understand, citizens could make informed decisions about their use of water, allowing for

better planning (for example knowing when water would be available and at which specific water points). This commitment could have additional indirect benefits. For example, it could enhance public accountability of KUWASA towards its service users. As citizens engage in providing feedback on water resources, they could be able to provide the necessary oversight and means for verification for the data being reported. The availability of data on water resources could also allow the Municipal Council to hold the authority (KUWASA) accountable for its delivery (or lack thereof) of water services in the municipal. However, the lack of additional details limits the potential to transform the status quo.

**Completion**  
**Not started**

Implementation of this commitment has not started. There is no evidence of any progress made with this commitment as a review of the Council website suggests no publication of the relevant information. The commitment was not started because KUWASA (the responsible authority) did not receive funds from the Water Ministry to give to the Council to implement it.

There is also no evidence of any civil society engagement with this commitment. During interviews with civil society representatives, it was noted that civil society has been absent in monitoring progress made in this sector, unlike other sectors like open budgeting.

**Early Results: did it open government?**  
**Access to information: No change**

Because none of the intended information from this commitment has been published, access to information has not changed.

**Recommendations**

While access to water continues to be a critical need for residents of Kigoma, neither the Municipal Council nor citizens are able to exert much influence over the authority (KUWASA) responsible for its delivery. KUWASA is accountable by law to the national Water Ministry, making it difficult for the Municipal Council to enforce any accountability. Given this context, it is unlikely that the Council will make meaningful progress with this commitment due to the very limited control the Council has over KUWASA. Therefore, the IRM researcher recommends that the Council not carry this commitment forward in order to focus attention on other equally demanding commitments.

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<sup>1</sup> Only very recently a major water project has been confirmed that will bring a majority of Kigoma Ujiji residents into the water grid, <http://allafrica.com/stories/201611070307.html>.

<sup>2</sup> This is confirmed by the Environmental and Social Impact Assessment conducted for World Bank Tanzania Strategic Cities Project in 2017 available at <http://documents.worldbank.org/curated/en/990601496330989952/pdf/SFG3397-V4-EA-PI11153-Box402912B-PUBLIC-Disclosed-6-1-2017.pdf>.

## 5. Open Budget

### Commitment Text

To make budget data (Five key budget reports) and quarterly Audit Committee reports accessible online each year.

Kigoma Ujiji Municipal Council every year prepares and approves its budget. This budget is for the people of Kigoma Ujiji. Not so many people know what is in the budget and make a follow up. [People] regularly tend to complain. Executives find it to be the problem.

In order to provide citizens with comprehensive information on the Council's plans and expenditure, useful platform is to disclose information particularly online. This is a user friendly and stakeholders can analyze the budget using a wide range of techniques. Residents can make follow up and ask their leaders in case they are not satisfied. Also, residents of Municipality will be in the position to advice Municipality leaders on their priorities to be considered in the next budgets and to make them respond to their responsibilities.

Kigoma Ujiji Municipal Council is committed to publish online key budgets documents in order to provide citizens with detailed information on the Municipal plans, collection and expenditure. Basically, online information provides useful platforms for stakeholders to analyze the budget and put their contributions that enable the Municipality to come out with effective and more implementable budget that answer people's questions.

### Milestones

- 5.1. Information on the annual budget to be disclosed for public use end of June 2017
- 5.2. Budget priorities, local and outside sources of income to be disclosed on January 2017
- 5.3. The draft budget prepared by experts made open for public use on January 2017
- 5.4. The draft budget approved by Council made open for public use on February 2017
- 5.5. The budget as passed by Parliament made open for public use on July 2017
- 5.6. A "citizens budget" summary of revised budget as passed by Parliament prepared at Mid July 2017
- 5.7. Mid-year budget reports made open for public use on January 2017
- 5.8. Income and Expenditure statements made open for public use monthly
- 5.9. Reports of debts made open for public use quarterly
- 5.10. Audit reports made open for public use quarterly
- 5.11. The results of the Municipal Council's report to the Parliamentary Committee on Local Government Accounts (LAAC) made open for public use one month after

### Commitment Overview

Status of Completion	Substantial
Start Date	January 2017
Intended Completion Date	July 2017
Responsible Office	Planning, Statistics and Monitoring Department, Municipal ICT Section
Did It Open Government?	Major

<p>Is it a STAR commitment?</p> <p>Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:</p> <ul style="list-style-type: none"> <li>- It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.</li> <li>- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.</li> <li>- The commitment would have a "transformative" potential impact if completely implemented.</li> <li>- Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.</li> </ul>	Yes
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Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete	Worsens	No change	Marginal	Major	Outstanding
✪5. Overall			✓		✓						✓			✓					✓		
5.1. Information on the annual budget			✓		✓					✓					✓						
5.2. Budget priorities, local and outside sources of income			✓		✓					✓				✓							

5.3. Draft budget prepared			✓	✓						✓			✓	
5.4. Draft budget approved by Council made open			✓	✓						✓			✓	
5.5. The budget as passed by Parliament made open			✓	✓						✓			✓	
5.6. A “citizens budget” summary of revised budget as passed by Parliament prepared			✓	✓						✓	✓			
5.7. Mid-year budget reports made open			✓	✓						✓			✓	
5.8. Income and expenditure statements made open			✓	✓						✓			✓	
5.9. Reports of debts made open			✓	✓						✓	✓			
5.10. Audit reports made open			✓	✓						✓			✓	
5.11. Municipal Council's report to the LAAC made open			✓	✓						✓	✓			

## **Commitment aim**

### Overall Objective & Relevance

In the last few years, Kigoma Ujiji has received poor ratings on the annual Controller and Auditor General Report.<sup>1</sup> Additionally, the most recent Public Expenditure and Financial Accountability Assessment of Kigoma Ujiji notes poor oversight of the budget process with limited controls over budget expenditure.<sup>2</sup> According to the Municipal Council, there is limited possibility for citizen oversight of the budget process as citizens lack access to credible budget data such as budget execution and audit reports. From interviews with the Kigoma-based CSO Nyakitonto Youth for Development, poor budget performance is attributed to the lack of interest among citizens to follow up on key commitments made in the budget. The lack of budget transparency also dissuades public officials to account for the use of public funds. Notably, the lack of publicly available budget data makes it difficult for citizens to monitor the implementation of development projects in the municipality.<sup>3</sup>

With this context in mind, the Municipal Council has committed to make budget data (five key budget reports) and quarterly Audit Committee reports accessible online each year. It also calls for the preparation of a “citizen budget” (Milestone 5.6), which is a less ‘technical’ version of the budget document that is easier for citizens to interpret and contextualize. The commitment is relevant to the OGP value of access to information because it explicitly aims to disclose government-held information like key budget and audit reports. However, as written, it is not considered relevant to civic participation, as it does not call for the creation of a public-facing mechanism to formally allow citizen participation in government policy-making. Furthermore, it is not relevant to public accountability because it does not call for a mechanism or intervention that call upon the government actors to justify their actions or act upon criticisms from citizens.

### Specificity and Potential Impact

The IRM researcher rates the commitment as having medium specificity. While the commitment gives detailed timelines within which key budget and audit data will be published, including timelines for the specific milestones, it does not describe the platform to be used for the disclosure of such information nor the format in which it should be published.

If fully implemented, citizens would be provided key budgetary information was not easily accessible in the past. For example, the Nyakitonto Youth for Development Organization considers that this commitment could have a significant impact towards improved access to information policies in the budgetary process. Previously, the process to attain this information required a formal written request, whereas the commitment proposes the proactive disclosure of government-held information. Additionally, the commitment could represent an important step towards systematizing the publication of budgetary information. For these reasons, the commitment is regarded as potentially transformative.

## **Completion**

### ***Substantial***

Overall, the implementation of this commitment has been substantial. Of the 11 milestones, eight have been completed. The IRM was able to review the information on the council website; <http://www.kigomaujijimc.go.tz/announcements/> which is presented in PDF downloadable format, making it easier for consumers to make use of it even while offline. In view of the commitment’s start and end dates, the commitment remains on schedule with the exception of the milestones on reports to the Parliamentary Committee on Local Government Accounts, the citizens’ budget, and the list of debts



and liabilities. The commitment has also proved easier to fulfill due to the readily availability data from both the subnational and the national governments.

### **Early results: did it open government?**

#### **Access to information: Major**

Civil society reports significant utilization of budget information posted on the Council website for public expenditure tracking. The IRM researcher was informed in an interview with Nyakitonto Youth for Development Tanzania (NYDT) that the organization has been using the information to monitor public expenditure in nine wards in the municipality in which they work. They claim that the availability of such data has contributed to effectively improve public oversight of public funds through the ward integrity committees, which they have formulated. Examples of such wards include Kagera and Kipampa River where, as a result of the availability of budget data, it was uncovered that public officials misused public funds raised from user fees and sales of cashewnut trees for which a lower amount of funds was reportedly collected as opposed to budget estimates. While civil society and the public have become more engaged because of this commitment and have used the ward committee meetings to hold government officials accountable for misused funds, it should be noted that the Ward Committee Meetings themselves existed prior to the action plan.

The publication of budgetary information at the Municipal Council level has mostly not been replicated at the grassroots levels of government. As a result of the publications, citizens are more eager to follow up on budgetary information, and there are now growing calls to share information on projects being implemented across the municipality. In this regard, the grassroots-level leaders are experiencing a surge in requests for information on budgets and particularly project implementation in their respective streets.

### **Recommendations**

Making budgetary data open is an important step towards promoting public financial accountability. However, the disclosure of information should first ensure that the public is able to understand and engage with such information. It is critical that a feedback mechanism is developed in addition to the disclosure of information in order for such transparency to be utilized. Such feedback mechanisms ought to be built from the ground up, i.e. from grassroots-local government and Street Assemblies. This way, the Municipal Council will be able to reinforce accountability. This would also allow the subnational government to continuously receive feedback from the citizens on its performance on public finances.

Moreover, for such information to reach its potential, it is imperative to encourage the public to work closely with grassroots local government to mobilize public participation. So far, CSOs like Nyakitonto have acted as interlocutors to help citizens understand newly available budget information. In the long term, it is pertinent that such information be communicated in a manner easier for citizens to interact with including the provision of a feedback mechanism. The complex format in which the information is currently presented prevents broader participation, as citizens rely on civil society to make meaningful engagement. The absence of a citizens' budget presents a lost opportunity as it could have been an important tool to spark public debate. The Municipal Council should prioritize its publication in future action plans but also consider developing similar formats for audit and other financial reports developed at the municipal.

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<sup>1</sup> National Audit Office (2017) Annual General Report of the Controller and Auditor General on the Financial Statements for the Financial Year 2015-16 – Local Government, [http://www.nao.go.tz/?wpfb\\_dl=225](http://www.nao.go.tz/?wpfb_dl=225).

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<sup>2</sup> The Ministry of Finance commissioned the assessment to PWC as part of the Sub National PEFA Assessments supported by the German Development Bank (KfW), [https://pefa.org/sites/default/files/TZ-Jul16-PFMPR-SN-Final%20Consolidated%20Report\\_1.pdf](https://pefa.org/sites/default/files/TZ-Jul16-PFMPR-SN-Final%20Consolidated%20Report_1.pdf).

<sup>3</sup> Joel Ramadhani, Programme Coordinator at Nyakitonto Youth for Development, interview with the IRM researcher, September 2017.

# Method and Sources

The IRM report is written by well-respected governance researchers. All IRM reports undergo a process of quality control to ensure the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on assessments of progress put out by civil society, the government, the private sector, or international organizations.

The first and primary objective of the IRM is to verify completion of action plan commitments and the level of participation. Beyond this, the IRM seeks to assess potential impact and early changes in behavior around open government. There are two intended outcomes: accountability and learning. The method follows these aims. A second, important function of the IRM is to act as a “listening post” for the concerns of civil society.

Each report undergoes a 4-step review and quality control process:

- Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology
- International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole
- Pre-publication review: Government and select civil society organizations (at the discretion of the researcher) are invited to provide comments on content of the draft IRM report
- Public comment period: The public is invited to provide comments on the content of the draft IRM report.

## Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Care should be taken in inviting stakeholders outside of the “usual suspects” list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g. online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than provided in the self-assessment or accessible online. If IRM researchers wish to substitute a stakeholder meeting with another format, they should communicate this to IRM staff.

The IRM researcher was unable to organize a focused group discussion and/or public stakeholders meeting during this assessment. This was mainly due to the sensitivity of the subject of OGP since the national government’s decision to withdraw from the Partnership and the subsequent directive to the subnational government to cease participation. In view of this context, it was considered more effective to organize small meetings in which the IRM researcher would be obtain information from each individual stakeholder in a less polemic setting. This decision was also taken in following the IRM researcher’s experience during the preliminary assessment when it became difficult to clearly articulate the role of each stakeholder. During the exercise, those more actively engaging with the OGP Local Program process overshadowed those who have less proximity to the process.

In the current political context, it proved difficult for the Kigoma Ujiji government to organize meetings with stakeholders, as most Council staff no longer wish to engage in any matters related to OGP. Thus, the IRM researcher was unable to organize a meeting with the Council Management Team who were

responsible for the implementation of the action plan (until September 2017). The IRM researcher held six meetings with civil society based on their role in monitoring the implementation of the action plan. Five of the organizations are based in Kigoma while one organization (Twaweza) is based in Dar es Salaam. Twaweza has been instrumental in supporting the Municipal Council in the initial stages of the design of the action plan and has continued to work with civil society in Kigoma in capacity support for the monitoring of the action plan. Twaweza has recently been assessing progress of the implementation of the action plan and the oversight thereof with the view to help local civil society play a more proactive role in monitoring the plan.

The IRM researcher also held an interview with the Kigoma Mayor and the Kigoma Member of Parliament who have spearheaded Kigoma's OGP efforts despite the restrictive environment. It became difficult to gather Council officials in view of a September 2017 directive from the Ministry of Local Government to cease participation in OGP processes. Beyond the interviews, the IRM researcher conducted an online review of evidence based on claims made by both the Municipal Council and civil society. The purpose was to review any documentation available to verify information gathered during interviews with both parties.