



Uganda Extractive Industries Transparency Initiative

UGEITI OPEN DATA POLICY

OCTOBER 2023

1. PREAMBLE

Article 41 of the Constitution of Uganda states that, “Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information in the is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.”

The Access to Information Act, 2005 provides for the right of access to information pursuant to the above article; to prescribe the classes of information referred to in that article; the procedure for obtaining access to that information, and for related matters.

2. INTRODUCTION

An open data policy is an essential tool to enhance an open and accountable management of natural resources in the country. By making data easily accessible, comprehensible, and usable, EITI reporting can strengthen public debate, inform decision-making and promote public understanding of natural resource management.

The policy contains recommendations on open data in implementation of the EITI Standard in Uganda within the agreed scope of EITI implementation at the national level. It complements the requirements regarding open data as per Requirement 7.2. In addition, it builds on already existing open data initiatives that are under implementation by Government, including the Open Budget Initiative (OBI). It further builds on lessons emerging from national level implementation and emerging international best practice and encourages systematic disclosure.

It originates from lessons learned following the implementation of the EITI Standard. The policy aims to promote the use of UGEITI data that are available in the reports that have been produced using the EITI Standard since Uganda joined EITI in August 2020.

What is open data?

Open data is data that can be freely used, re-used and redistributed by anyone, it provides a framework for opening up access to government data and through governance mechanisms.

EITI Principle 4 declares that “a public understanding of Government revenues and expenditure over time can help public debate and inform choice of appropriate and realistic options for sustainable development”. The EITI Standard (EITI Requirement 7.1) requires EITI disclosures to be “comprehensible, actively promoted, publicly accessible and contribute to public debate”. Improving the accessibility, reliability, relevance, timeliness and comparability of EITI data is essential to realise these objectives.

The EITI acknowledges that the circumstances differ in each implementing country, that not all countries will be able to transition to open data at the same speed, and that the financial implications need to be considered, both in the near and long term. The demand from the public and the use of the data to address public policy issues should be considered. Access challenges and information needs of different genders and subgroups of citizens should also be taken into account.

3. VISION, OBJECTIVE AND SCOPE OF THE POLICY

3.1 The Vision

The vision of the policy is to embed a culture of ‘open data by default’ within the Uganda public sector in order to promote the open and accountable management of natural resources.

3.2 The Objective

The main objective of the Open Data Policy is to provide a framework for the transparent exchange of information and data among the various stakeholders. The policy is expected to result in:

1. Improved transparency among the stakeholders in relation to extractive activities.
2. Increased awareness about how the countries’ natural resources are governed.
3. Enhanced public oversight and accountability for the resources derived from the extractive sector.

In order to fulfill this objective, the following specific activities shall be undertaken:

- i. Avail EITI data and information publicly.
- ii. Develop a framework for promotion and implementation of open data initiatives in the public sector.
- iii. Create a single point of access to Extractive sector open data.
- iv. Develop tools for enforcement of compliance with open data standards and legislation.
- v. Promote and drive uptake of the use of open data.
- vi. Promote the increase of open data skills.

3.3 Scope of the open data policy.

The Policy applies to all MDAs as defined in the Constitution of Uganda and to information and data in their custody or under their control. These include Ministries, Departments, Agencies, Statutory Bodies, Government Enterprises, Public Universities, Local Government Administrations, Courts, Parliament, Tribunals, Consultants, Government Contractors and recipients

of Government funding. It also applies to stakeholders in the extractive industry, who include extractive companies.

The scope of data covers UGEITI data in general including datasets currently published in EITI Reports, in line with the requirements of the EITI Standard. In addition, the policy will cover additional issues as determined by the MSG. In line with the principles set out in this Policy, UGEITI will consider the release of any further datasets in future when it is in a position to publish them.

Before publishing data, MDAs shall consider their own legislative requirements, and the value and intended outcome of openness against the cost and potential implications of making that data open (there is need to also take into account non-disclosure agreements that have been signed and are in force). This shall assist with decisions surrounding how best to manage the data, including whether to release the data and under what conditions, and the priorities for release.

The Open Data Policy shall define specific actions that need to be undertaken by MDA's and the various stakeholders in the extractive industry to ensure all MDAs and stakeholders take steps to expand public access to EITI data by among other channels making it available online unless restricted by law, policy, regulations or contract.

4. GUIDING PRINCIPLES

To learn from and shape best practices of government open data, EITI countries are encouraged to endorse the international Open Data Charter <https://opendatacharter.net/principles/> and other relevant initiatives that seek to promote open data and guide the release of existing and new data sets under EITI, thus provide a foundation for the access, use and re-use of the data. These guiding principles are explained as follows:

i. Timely and Comprehensiveness

Open data is only valuable if the information is published quickly and comprehensively. Getting information published quickly is critical in ensuring that its use or application is useful to Government and the stakeholders. As much as possible governments shall provide data in its original, unmodified form.

UGEITI data shall be released timely, in a complete form and in a legible and easy to comprehend format. UGEITI shall ensure that the published data is comprehensive and reliable. Whenever feasible, information collected by UGEITI shall be released as it is acquired and compiled. Information collected by UGEITI will be released at the earliest possible time or within predefined days as may be dictated by law or agreements.

ii. Accessible and Usable

Key to ensuring that Data is accessible and usable, the UGEITI and its stakeholders shall among other measures ensure that data is machine readable and easy to find. Other aspects that are critical shall be the consideration of user experience in accessing data and this includes the file formats that information is provided. Data shall be free of charge, under an open license.

UGEITI data, including all past EITI reports, shall continue to be available on the internet and will be accessible free of charge. UGEITI will ensure that EITI reports are published widely for public consumption. By leveraging existing reporting and available data platforms, UGEITI will further improve the EITI data visualization and presentation, enhance electronic data storage, increase public accessibility to and use of UGEITI data. The data shall be available as visualizations and as downloadable openly licensed data sets (for example as a spreadsheet).

iii. Comparable and Interoperability

Appreciating that Data has a multiplier effect, that is to say the more quality datasets you have access to, and the easier it is for them to talk to each other, the more potential value one can get from them. Hence Commonly agreed data standards play a crucial role in making this happen.

UGEITI shall ensure as much as possible that the data it releases is interoperable with national and international standards, including adopting data standards approved by the EITI Board. UGEITI shall also ensure that all data is fully described, all documentation accompanying data is written in a clear and plain language, and that users can have sufficient information in order for them to understand the source, strengths and limitations of the data.

iv. Completeness

Data published by UGEITI shall be as comprehensive as possible. It shall represent the entire scope of what is documented within the framework of the UGEITI process.

v. Open by default

This represents a real shift in how the government operates and how it interacts with citizens. Officials are asked for the specific information required. Open by default requires that there shall be a presumption of publication for all. Governments shall justify data that's kept closed, for example for security or data protection reasons. To ensure integrity and accuracy of open data, citizens must be confident that open data shall not compromise their right to privacy.

vi. Improved governance and citizens' engagement. Open data has the capacity to let citizens (and others in government) have a better idea of what

officials and politicians are doing. This transparency can improve public services and help hold governments to account.

vii. Inclusive development and innovation. Open data can help spur inclusive economic development. For example, greater access to data can make accountability more efficient, or it can be used to tackle climate change.

5. RATIONALE FOR THE OPEN DATA POLICY

Implementation of open data initiatives is expected to bring about a number of benefits, improved understanding, management and use of data within government, and enabling broader access and use (e.g., by non-government organisations, businesses and industry, academia, innovators and civil society) provides a range of benefits to both the public and private sector. These benefits include:

- i. Enabling participatory governance; increased access to EITI data provides the public with greater insight into natural resource activities and how they are managed.
- ii. Improved transparency and accountability; Availability of open data helps citizens to hold duty bearers and stakeholders accountable. This will in turn help to reduce corruption and mismanagement of resources.
- iii. Share data: allows easy access to data, particularly between MDAs, thus leading to improved efficiency and effectiveness of public services delivered
- iv. Support for innovation - Access to knowledge resources in the form of data supports innovation by reducing duplication and promoting reuse of existing resources. This leads to creation of new opportunities for economic growth, new businesses, and jobs.
- v. New knowledge from combined data sources and patterns in large data volumes - Government, citizens, academia, and the private sector shall ably work together and collaboratively find new answers to solve societal problems using available open data from previously conducted studies.
- vi. Opening access to data also supports public sector efficiencies and savings through reduced duplication, streamlined processes, and the development and delivery of tools/services more quickly and at lower costs.

6. Open data for EITI Implementation in Uganda

In order to foster increased and timely access to data, UGEITI commits to pursuing the following:

- I. Encourage government institutions to adopt open data by default, with the intention of eventual migration to full systematic disclosure;
- II. Work towards mainstreaming the creation of open data for EITI into government systems to ensure timeliness, data quality, reuse and cost effectiveness;

- III. Ensure that this data is fully described, so that users have sufficient information to understand their operating environment thus enabling them to utilize the data optimally;
- IV. Share technical expertise and experience with other countries to maximise the potential of open data;
- V. Work to increase open data literacy;
- VI. Work towards ensuring that data is interoperable with national and international standards, including adopting data standards approved by the EITI board and additional guidance provided by the EITI Secretariat;
- VII. Work towards providing data in granular, machine-readable formats such as Excel; and
- VIII. Include open data requirements in the Terms of Reference for the Independent Administrator and UGEITI Strategic documents.