

Group 3

A report of case studies on: 1. Data protection and privacy

2. Transparency, right to public information and accountability

Countries involved:

1. Botswana
2. Eritrea
3. Swaziland
4. South Africa

Methodology:

The first task was to ensure that each member of the group understood the topic under discussion so that there could be a common understanding of the subject matter. Presentations from each country then followed.

Case Study 1 – Eritrea

Data protection and privacy

Eritrea has recently emerged from a war with Ethiopia; it is therefore not easy to access data that is in the custody of government. Because of the war, the government of Eritrea is cautious about releasing data lest it falls into the wrong hands.

Each Ministry is responsible for protecting data that is in its custody. In order to access data which is in the custody of government one needs to obtain permission from the relevant authorities. However, even in cases where authority is granted to access information, it may be difficult to obtain such information, because the collation, filing and storage systems are not of a good quality.

Transparency

Every Ministry has a clear development strategy. This strategy is shared with the people and the Minister clarifies to the people regularly the progress that the Ministry is making in achieving the strategy.

Eritrea does not have a Freedom of Information Act.

There is also no private press, only government press so freedom of press and speech may not be guaranteed.

Infrastructure remains the greatest challenge, especially education, health and roads which are necessary to enhance democracy.

e-Government Challenges

There are several challenges that Eritrea is faced with in terms of e-government. The implementation of e-government is slow because of the lack of resources. Human resources are limited, especially in the case of teachers. The mountainous nature of the country poses a significant challenge in that it makes the laying of communications infrastructure very difficult. The energy infrastructures are not well developed and this is a drawback for e-government implementation. The literacy level stands at fifty percent, this means that even if e-government applications were made available to the people, only half of the population would be able to take advantage and benefit from such technology.

Ethical and Trust Issues

The inadequate access to information, the low literacy level as well as home grown democracy give rise to ethical as well as trust issues in the country such as the limited freedom of the press and speech, the lack of freedom of information legislation and the lack of skills and human resources and poor infrastructure to enhance access.

Like other countries in Africa, Eritrea faces challenges of poverty.

Opportunities for Eritrea

The following opportunities were identified for Eritrea in the realm of e-Government:

1. The use of batteries and solar panels to generate energy;
2. The use of radio and television for public education; and
3. The use of the CDMA cordless telephone, this is a Chinese mobile phone innovation that can be effectively used in rough terrain in a country like Eritrea. This type of phone is relatively cheaper compared to the mobile phone.

Case Study 2 - Swaziland

Data protection and privacy

Data protection is largely facilitated through the use of Information Technology. Prior to the year 2000, information was centralized to main-frame computers and a clear adherence to the process of updating, quality assurance and production was observed. From the year 2000 data was decentralized on PCs, which do not have very strong security features; therefore the level of data integrity cannot be assured.

Civil servants data is centralized in order to control access and criminal data is highly protected, while public data is released through authorization.

Data on individuals infected with HIV/AIDS in the past was not protected from unauthorized access, but there is now a mandate to protect such information which is deemed as sensitive.

To date Swaziland has no cyber laws and therefore transacting business online is not free from the insecurity of the internet.

Transparency

Swaziland is a Kingdom therefore information, especially about the Institution of the King is largely unavailable to the general public. The public is cautious about intruding into the privacy and affairs of the King and his household.

Freedom of speech is not guaranteed in that although there are a number matters that the media is allowed to report on, issues relating to the Institution of the King are considered to be 'out of bounds'.

There is no internet monitoring in the country, this can perhaps be attributed to the lack of expertise to carry out such operations.

There is limited political party activities and freedom of assembly is usually confined in particular constituencies depending on the residence of the parties involved.

e-Government Challenges

Infrastructure is problem therefore most people in the rural areas are not connected and are therefore denied access to information about services offered by government. The lack of human resources negatively affects the government's ability to bring the services closer to the people.

The government has a website that contains information about the various Ministries, but the downside is that the information is not regularly updated. This results in the public accessing information which may no longer be applicable or relevant.

Information sharing between the government and the people is limited.

There is a general lack of awareness on the part of the citizens about their rights and obligations. This limits their capacity to put pressure on government to meet their needs.

Decisions about development are decided by the Budget Committee and this may not necessarily be in the interest of the general public because it is top-down approach to decision making.

Swaziland does not have a specific driver or champion for the implementation of e-government strategy.

The limited literacy level, just as is the case with Eritrea remains a significant challenge for Swaziland in implementing and even the success of its e-government strategies.

The 2008 global e-readiness survey shows that Swaziland slipped from position 108 in 2005 to position 125 in 2008.

Ethical and Trust Issues

Because of limited freedom of press and speech people are not able to effectively influence public policy through free debates.

Because Swaziland is a Kingdom the form of government is largely top-down approach and therefore citizens may not receive the opportunity to influence for example policy that affects their lives.

Limited access to information and information technology infrastructure because of the digital divide especially between the urban and rural areas, and also because of the low literacy level.

Lack of trust by people in government because of limited transparency and accountability in the way government matters are implemented and the form of democracy that concentrates power in the Kingdom.

As with much of the African continent poverty remains a big issue.

There are gender related issues that relates to freedom of choice especially when it relates to the priorities of the Kingdom.

Opportunities for Swaziland

The following opportunities were identified in the sphere of e-government:

1. VSAT (very small aperture terminal) could be used to provide access to rural areas and others which do not have telephone connectivity.

2. The government website is being revamped to provide information such as the status of applications with regard to issuance of Identity Documents, passports, title deeds, birth certificates, pensions and so on.
3. Battery and solar panels could be used to generate power especially in those areas which are not connected to the main electric power grid.
4. Radio and television are widely used in the whole country they can therefore be used to enhance public and civic education with regard to e-government.
5. Private public partnerships could be used to mobilize resources needed for e-government.
6. The increasing presence of cyber cafes around the country can be used to promote access of the rural people to e-government services.

Case Study 3- Botswana

Data protection and privacy

The protection of data is enshrined in the Constitution of the Republic of Botswana, but in practice protection applies largely to government rather than private information. There have been reported cases of surveillance on the employees in the mining sector purportedly to prevent theft of mineral products. T

The country has a web portal which contains of information about the various government Ministries, Departments with their responsibilities and staff.

Departments and Ministries still maintain their own websites despite the fact that there is a central web portal this gives the same government with many faces and also encourages duplication of data across departments and ministries. There is limited opportunity to download forms, for example tenders and have them completed and returned in printed form.

Botswana has made some progress in some stand alone e-government projects such as issuance of driving licenses and motor vehicle registration . And in progress is the computerization of revenue services, financial management systems, immigration and human resource management systems.

There is limited inter-departmental sharing of information since each department maintains its own data and there is no integration yet, moreover government departments run different computer systems making interoperability a problem.

Botswana has an ICT Policy and an e-government strategy.

Transparency

Botswana is a functioning democratic state where elections are held every five years with the participation of different political parties. The judiciary is strong and independent. The strong investigative arm of government includes an Anti-corruption Commission which has the mandate not only to investigate but to prosecute as well.

Citizens are included in the process of decision making through grassroots decision making system.

Access to information y the public is guaranteed in the Constitution, although recently there have been two developments that have raised concern among the citizens; firstly the Media Bill, which aims to regulate the media. The second issue is the establishment of the Intelligence Information Services agency to monitor issues relating to national security

Accountability and the use of public resources is achieved through strong financial monitoring systems. Botswana is regarded as one of the models for prudent economic management.

Botswana scores very highly on low corruption indices. It also scores highly on transparency as well as economic stability.

Freedom of the press is guaranteed, but the media sometimes faces challenges from government, for example when government withdrew advertising in some newspapers because they were perceived as portraying the government in negative light.

The civil society and opposition parties are weak which makes providing checks and balances limited.

e-Government Challenges

There challenges that Botswana is faced with in terms of e-Government are the following:

1. A limited access to information due to infrastructure problems,
2. The low level of English literacy,
3. Expansive country with a dispersed population,
4. A limited power supply and heavy reliance on South Africa to provide electricity,
5. The low level of ICT literacy,
6. The lack of community radio stations that can promote on public and civic education,
7. The law has not yet been changed to accommodate the electronic environment, such as the acceptance of digital signatures in a court of law or in government.
8. In the 2008 global e-government survey Botswana slipped from position 90 in 2005 to position 118 in 2008 among 180 countries surveyed.

Ethical and Trust Issues

There are number of ethical and trust issues arising in the sphere of e-government in the country, most of which have already been discussed, I shall now mention a few.

1. The Media Bill- this an ethical issue because it gives the government the right to regulate the media and this infringes on the basic right to access information which is protected by the Constitution.
2. The National Intelligence Agency may infringe on people's privacy and confidentiality

3. Limited digital literacy – this hampers the effective use of computers.
4. Limited skills mean that the use of e-government applications is limited and also the expertise needed to develop the applications and manage e-government infrastructure
5. Limited English language literacy is hampering access
6. The digital divide, especially between the rural and urban areas isolates particular communities from the mainstream of government decision making,.
7. There is limited local content on the web portal.
8. Botswana maintains the death penalty in its statutes books.

Opportunities for Botswana

The following opportunities were identified on the subject of e-Government:

1. The National ICT strategy that provides a roadmap for e-government implementation
2. A fairly good performing economy that can support e-government applications
3. A stable democratic government that provides a conducive environment for development and e-government growth
4. Although infrastructure covers most of the country it needs to be upgraded to provide reliable systems as well as adequate bandwidth
5. There is a high level of awareness among the people about their rights and obligations

Case Study 4- South Africa

Data Protection and Privacy

A distinction was made between basic and private information. Private information is heavily protected by the law and only the state has access to such information. The Access to Information Act of 2000 ensures that the people have the right to access basic information, for example public policy or information about social grants.

The Government Communication Information System (GCIS) provides leadership in government communication and ensures that the public is informed of the implementation of governments mandate thus it acts as a link between government and the people.

The different Ministries or Departments also have their own websites which contain information about the specific projects they are undertaking.

Transparency

Since 1994 there has been a great deal of transparency in South Africa for example issues of corruption in government such as the Arms Deal, the travelgate in parliament and many others have come to the fore. Transparency and Accountability are guaranteed in the Constitution. South Africa enjoys freedom of the press and expression. The Civil Society is vibrant, active and participates in the process of law making. Government consults with the people in policy decision making.

e-Government Challenges

The following have been identified as e-government challenges:

1. Corruption in government
2. A large proportion of service delivery strategies have not been implemented, many people are still living below the poverty line especially in rural areas without adequate basic amenities.
3. Censorship by the national broadcasting corporation has caused some concern. For example the private broadcaster has been much more forthcoming with information on issues of government rather than the public broadcaster
4. Low literacy level, especially in the rural areas limits access and use of resources
5. Fragmentation of e-government projects which are not coordinated and there is no overall czar for e-government.

6. Interoperability- e-government involves a lot of applications and technologies from many different providers which means different government ministries and departments maintain different systems making sharing information across government difficult as well as the integration of data.
7. Not all eleven of the official languages are equally represented in e-government resources including the government web portal

Ethical and Trust Issues

The independence of the judiciary has at times been questioned, for example: the disbanding of the elite crime fighting unit, the Scorpions. And some decisions that have been reached by the judiciary, such as the one that culminated in the sacking of former president Thabo Mbeki. Recently private information about the interim president and high profile party officials of the ruling party has been carried out in the local media.

Opportunities for South Africa

1. Mobile phones: 90% of the population have mobile phones which can be used for e-government and to bridge the digital divide
2. The multipurpose community centre, MPCC: SA has about 355 of these centers which can be used to provide e-government services
3. The post office infrastructure: it covers the whole country and it has experimented upon to provide internet access throughout the country.
4. Liberalization of telecommunication sector
5. The broadband infraco Act which is supposed to coordinate the development of broadband in the country
6. South Africa has more than a 100 community radio stations which can be used as a tool for public and civic education.
7. The 2010 related infrastructure development will enhance access because of the many broadband infrastructures that are being laid in the country.
8. Strong private sector.
9. Freedom of Information Act .
10. Poverty Alleviation strategies (BEE, RDP, GEAR).

Overall Recommendations:

1. Involve people in decision making process
2. Enhance education and training
3. Make use of appropriate technologies
4. Enhance public private partnerships
5. Research and Development
6. Incremental implementation of e-government strategies
7. Use of cyber cafes and multipurpose
8. Development of relevant content.