

## **Terms of Reference: Development of an Information Access Policy for OKACOM**

### **1. Background**

The Permanent Okavango River Basin Water Commission (OKACOM) was established in September 15, 1994 by the Governments of Angola, Botswana and Namibia. The objective of the Commission is to act as the technical advisor to the Contracting Parties on matters relating to the conservation, development and utilization of water resources of common interest in the Okavango River basin. This entails promoting coordinated and sustainable water resources management of the basin, while addressing the legitimate social and economic needs of riparian States.

A permanent Secretariat for OKACOM, officially launched in 2008, and hosted by Botswana in Maun, is responsible for supporting the Commission through provision of administrative, logistical and information and communication services. A strategy for information and communications for OKACOM developed by the Secretariat has identified the urgent need for a policy that guides provision of the Commission's information to OKACOM's members, partners and stakeholders.

### **2. Context and rationale for the assignment**

The objectives of an access to information policy are to:

- Provide OKACOM's stakeholders with a transparent process to access records and information held by the Commission
- Provide guidance to OKACOM Secretariat staff in managing and providing records and other information to the Commission's stakeholders
- Define categories of information that are available to parties outside the Commission and any restrictions that may apply
- Describe methods and procedures for access to Commission information
- Define standard procedures for appeal if access is denied.

The policy shall conform to OKACOM's existing operational policies and to its published *Rules and Procedures* and to the legal environment in the three member states.

#### **2.1. Accountability and Transparency**

OKACOM is a regional organization, reporting to governments of the three riparian countries, and is operated with the use of public funds for which it is accountable. The policy should allow appropriate and adequate access to OKACOM's data and information generated under its scope of work, including financial management records, to ensure it is clear that the Commission is using its resources fairly and to best advantage.

#### **2.2. Responsible Information Management**

OKACOM's core business involves high level discussion, deliberation and negotiations among senior public servants. The Commission has an obligation to protect the confidentiality of some of the information generated and shared by its members. There is a need to balance OKACOM's stakeholders' and the public's need for information with the obligation to protect and respect the confidentiality of its members engaged in the quiet diplomacy needed to resolve issues of political sensitivity.

Maintaining trust among the officials of the Commission's member countries is as important as developing trust of the public of the intentions and activities of the Commission. OKACOM must be seen to facilitate good decision making based on sound information and knowledge, without initiating or participating in judgments about the motivation of its member governments, or revealing potentially sensitive, unfounded or misleading information. The policy should clearly need to make best use of official information, and indicate the categories and types of information to which restrictions may apply to guide both internal OKACOM staff and external stakeholders.

### **2.3. Building Stakeholder Knowledge**

OKACOM's stakeholders include public and private sector bodies, civil society, research institutions and a large group of regional and international organizations with interest in natural resources management in the Okavango region. Providing these stakeholders with reliable and timely information is of significant importance to the Commission. Openness promotes engagement with stakeholders, and the hope is that a better informed Okavango community will result in a greater contribution to a multi-way flow of knowledge and information, including monitoring of the effectiveness of OKACOM decisions, to support wise management of the Basin. The policy should be written in such a way to actively encourage and facilitate this process.

### **2.4. Supporting Effective Institutional Memory**

OKACOM Secretariat's internal records management procedures still under development should be informed by the policy. The policy will guide and support Secretariat staff in protection and disposal of records, ensuring that the Commission's institutional memory, including records of requests for information, is complete and made available appropriately for evidentiary and learning purposes.

## **3. Scope of Work**

The consultant will examine all existing OKACOM policy documents and agreements to ensure that the policy developed adheres to agreed principles. These will include:

- OKACOM Agreement, 1994
- OKACOM Secretariat Guidelines and Procedures, 2005
- Memorandum of Agreement for Establishment of a Permanent Secretariat for OKACOM, 2005
- OKACOM Organizational Structure Agreement and Endorsements, 2006
- OKACOM Secretariat Hosting Agreement, 2007
- Sida-OKACOM Agreement, 2007
- OKACOM Finance and Administration Manual, 2009
- OKACOM Policy and Operations Procedures Manual, 2009
- OKACOM Procurement Manual, 2009
- OKACOM and OBSC Rules and Procedures, 2010.

Examination of the indicated OKACOM policy documents should also consider reviewing the existing national information policies within the riparian States and assess the degree of congruence with OKACOM developed policies. Benchmarking with existing similar existing sister organizations (E.g. SADC, other River Basin Organizations, etc.) will bring an added strength to the analysis process.

The consultant will also be required to examine sample agendas, minutes, internal correspondence and other records of the Commission.

The consultant will interview key members of OKACOM Secretariat staff and members of the Commission and its bodies to develop an understanding of the operational norms of the organization. Following production of the draft policy, the consultant will present it to the Commission and receive comments and corrections, incorporating these into the final document.

#### **4. Period**

Production of a draft policy should be carried out by 31<sup>st</sup> of March 2010. Follow-up corrections and finalization should be completed before the Commission's annual meeting in May 2011.

#### **5. Reporting**

A brief inception report that outlines the technical steps in development of the product should be delivered to OKACOM Secretariat the end of the first week of the contract period. Brief e-mail based progress reports should be made weekly.

#### **6. Deliverables**

The main deliverable will be an Access to Information Policy in the form of four hard copies in English and Portuguese of a document and on electronic copy in a recent version of Microsoft Word.

The consultant will need to develop and deliver a briefing/review session to allow the Commission to provide comments and corrections to the document.

#### **7. Qualifications and Experience**

The contractor should be able to demonstrate at least 10 years experience in archives and records management in an African public sector setting, knowledge of international regulations, standards and norms in information management, and experience in development and introduction of public sector policies.

Familiarity with the Southern African region and transboundary natural resources management issues would be strong assets.

#### **8. Submission of Proposals**

A written proposal setting out the following information should be submitted to Monica Morrison, OKACOM Secretariat, P.O. Box 35, Airport Industrial, Maun, Botswana, Tel. 267-680-0023, Fax. 267-680-0024, Mobile 267-71326637, Email: monica@okacom.org.

- Proposed approach to the work
- Workplan/Timeline
- Costs.

The proposal should be submitted by 5 November, 2010.