

# #ACK CORRUPTION

## PROBLEM STATEMENT BRIEF



# FREEDOM OF INFORMATION TO CONSTRAIN CORRUPTION

Considered a fundamental human right by many courts and advocates, freedom of information is enshrined in the 2003 UN Convention against Corruption (UNCAC). Signed by 140 countries, UNCAC asserts that specific mechanisms should be established in each signatory country to ensure public access to information.

According to the UNCAC Coalition,

**“The right of access to information empowers citizens... [and] encompasses a right to request and receive information, as well as an obligation for governments to publish information proactively.”**

## FREEDOM OF INFORMATION AND CORRUPTION

Giving citizens greater access to public information—like budgets, decisions, public employment, campaign funding, public sector systems, and more—has a well-demonstrated impact on corruption.

- A 2014 study in the United States showed that when states changed from weak to strong freedom of information acts (FIOAs), corruption conviction rates initially doubled before tapering off. In the long run, stronger freedom of information laws lowered corruption by an estimated 20 percent through a combination of (1) increasing detection of corrupt acts and (2) discouraging wrongdoing by officials.
- A 2016 study corroborated the strong anti-corruption effect of freedom of information laws in countries around the globe. Analyzing the impact of FIOAs in over 90 countries, researchers show that the passage of transparency laws consistently led to higher corruption detection rates and falling long-run perceptions of corruption.

As of 2022, close to 130 countries have freedom of information laws. However, rapid growth in rights to information has not yet transferred to citizen awareness of this right, which remains low around the world.

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## IDENTIFY AND UNCOVER “DARK” PROCESSES

Southern Africa has a mixed record on freedom of information laws. From strongest to weakest, transparency laws currently exist in South Africa, Seychelles, Malawi, Uganda, Angola, Tanzania, Zimbabwe, and Mozambique. No current FOIA laws exist in Botswana, Zambia, Namibia, the Democratic Republic of the Congo, Lesotho, Burundi, Mauritius, and Madagascar.

But freedom of information is about more than just having a law on the books. FOIAs vary widely in strength and detail, and even strong laws—like Brazil’s recently updated Access to Information Law—can have significant shortcomings that weaken accountability. Carefully written laws will ensure that requests receive a speedy response and that data provided is complete, high-quality, and fully honest. Since many citizens do not know how to make an FOI request, best practices emphasize the importance of proactive disclosure, particularly regarding budgets, public expenditures, and procurement tenders.

## FIND THE BOTTLENECK

Hackathon team efforts to bridge technical gaps should begin by analyzing a country’s FOI commitments, the kinds of information that are proactively disclosed, the timeliness, quality, and usability of data disclosed, and the tools or platforms that provide points of access. Next, teams should understand current civil practice, including current public awareness about FOI laws and their use by law enforcement, journalists, activists, and civil society organizations. Hackathon teams should focus on operationalizing a solution related to the freedom of information process that bridges a gap that exists in a specific country or region.

