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**Realisation of the Right of Access to Information in Mainland
Tanzania's Petroleum Industry**

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Abstract

Access to information is essential for effective democratic governance, particularly in sectors such as petroleum extraction. In Tanzania, although legislative initiatives including constitutional and legal guarantees seek to promote the right of access to information, numerous obstacles continue to impede its effective realisation within the petroleum sector. Article 18 of the Constitution of the United Republic of Tanzania guarantees the right to acquire, seek, and disseminate information. The implementation of this article is supported by laws such as the Petroleum Act and the Access to Information Act, as well as regulations that promote transparency. However, the implementation of the above laws highlights significant obstacles, including unreasonable access limitations, discriminatory provisions, and broad exemptions that enable authorities to withhold essential information. The bureaucratic requirements for information requests are also cumbersome, deterring citizens' engagement. Additionally, conflicting regulations create confusion about information disclosure, particularly in relation to beneficial ownership and production-sharing agreements. To address these multifaceted challenges and advance the realisation of the right of access to information in Tanzania's petroleum industry, this paper recommends harmonising legal frameworks, simplifying access procedures, establishing independent oversight mechanism, and broadening dissemination methods.

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Key Words: Petroleum, Petroleum Industry, Access to Information, Transparency, Accountability

1. Introduction

Tanzania's rapid economic growth can be attributed to many factors, including its stable government, strong business opportunities, numerous tourist sites, and the strategic utilisation of its abundant resources. Specifically, the petroleum sector plays a significant role in the Tanzania's economic growth.¹ The nation's exploration for and extraction of petroleum have reached a substantial milestone, with the identification of many locations for this purpose.

The exploration for natural gas in Tanzania has been ongoing for many years. Oil seeps in then Tanganyika were reported in 1896 in the Lake Tanganyika area. Thereafter, exploration reports from various areas followed, including five wells in Pemba, seven in Mandawa, one in Mafia, and another in Mita Gama.² Natural gas was first found on the Island named Songo Songo in the Region of Lindi in 1974. A second discovery was made in 1982 at Mnazi Bay within the Region of Mtwara.³ As a result of these discoveries, the production of natural gas has increased to an average of 236.21 million cubic feet per day at these two sites. Songo Songo produces 120.27 million standard cubic feet per day while Mnazi Bay produces 115.94 million standard cubic feet per day.⁴ Furthermore, data collection has recently been completed, and there is an expectation that oil may be discovered in the Eyasi Wembere Basin, located in Singida.⁵

Now that the sector has achieved a significant milestone, several critical issues must be addressed to sustain and encourage its growth. Chief among these is transparency, which remains undermined by limited access to oil and petroleum information. When stakeholders are unable to obtain accurate and timely data on the sector's operations, decision-making processes, contractual dealings, and revenue management, accountability is weakened and public trust is eroded. This lack of transparency creates conditions that encourage mismanagement, corruption, and inefficiency, ultimately hindering sustainable development. Consequently, the right to receive information becomes indispensable, as it serves as

¹ Gupta V, 'A Case Study on Economic Development of Tanzania', *Journal of the International Academy for Case Studies* (Vol. 26, No.1, 2019) 1 - 16.

² Tanzania Petroleum Development Corporation, <https://tpdc.co.tz/exploration/#1653412804240-9cf4ee63-99c9>, accessed on 13 June 2024.

³ Energy and Water Utilities Regulatory Authority, <https://www.ewura.go.tz/natural-gas/>, accessed on 13 June 2024.

⁴ The Parliament of Tanzania, 'Annual Budget Speech of the Ministry of Energy, 2024/2025', 86, <https://www.parliament.go.tz/budget-list>, accessed on 13 June 2024.

⁵ Petroleum Upstream Regulatory Authority, '2D Oil Exploration Project in Eyasi Wembere Completed' (October 2023), <https://www.pura.go.tz/index.php/news/2d-oil-exploration-project-in-eyasi-wembere-completed>, accessed on 13 June 2024.

