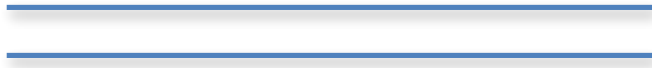# Independent Reporting Mechanism (IRM): Netherlands Progress Report 2016-2017

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Executive Summary: The Netherlands

Independent Reporting Mechanism (IRM) Progress Report 2016-2017

The second action plan primarily includes commitments on open data. While more than half of commitments were substantially completed, they were not sufficiently ambitious. Moving forward, the next action plan needs to address several stakeholder priorities, such as the new Freedom of Information Act and transparency of company beneficial ownership.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Netherlands began participating in OGP in 2011. The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each country that participates in OGP.

The Ministry of the Interior and Kingdom Relations is the coordinating office for OGP commitments. The Ministry has no legal power to enforce policy changes on other government agencies, and cooperation is largely voluntary.

OGP Process
Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

The Ministry held two meetings in 2015 and provided CSOs sufficient opportunities to provide input on the development of the action plan. Ultimately, however, the Ministry did not hold a consultation on the draft action plan nor did it incorporate any CSO suggestions into the final version.

There is no regular multi-stakeholder forum to consult on the implementation of the action plan.

The Ministry published an extensive self-assessment report after a two-week consultation period in the summer of 2017. The self-assessment lacked concrete evidence to justify reported completion levels. Additionally, the self-assessment did not note if key recommendations from the previous IRM report were integrated into the action plan.

At a Glance:

Member since: 2011
Number of commitments: 9

Level of Completion:
Completed: 0 out of 9
Substantial: 5 out of 9
Limited: 3 out of 9
Not started: 1 out of 9

Commitment Emphasis:
Access to information:	7 out of 9
Civic participation:	1 out of 9
Public accountability:	0 out of 9
Tech & innovation for transparency & accountability:	0 out of 9

Commitments that are
Clearly relevant to an OGP value:	8 out of 9
Of transformative potential impact:	0 out of 9
Substantially or completely implemented:	5 out of 9
All three (✪):	0 out of 9

Commitment Implementation

As part of OGP participation, countries make commitments in a two-year action plan. The Netherlands action plan contains nine commitments. Table 1 summarizes each commitment's level of completion and potential impact. Table 2 provides a snapshot of progress for each commitment and recommends next steps. In some cases, similar commitments are grouped and reordered to make reading easier.

Note that the IRM updated the criteria for starred commitments in early 2015 in order to raise the standard for model OGP commitments. Under these criteria, commitments must be highly specific, relevant to OGP values, of transformative potential impact, and substantially completed or complete. The Netherlands received zero starred commitments.

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
1. National Open Data Agenda ('NODA')	X	X			X	X		
2. Stuiveling Open Data Award ('SODA')	X	X			X	X	X	
3. ROUTE-TO-PA: Re-use of open data	X				X	X	X	
4. Active publication of information	X	X			X	X	X	
5. Open about finances: detailed open spending data	X	X			X	X	X	
6. Publication of open data standard	X	X	X		X			
7. Develop the skills of public sector staff	X	X			X	X		
8. Informal approach to freedom of information requests	X	X			X			
9. Support to other public sector organizations: Expertise Centre (LEOO)	X	X			X	X	X	

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	RESULTS
1. National Open Data Agenda ('NODA') • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Limited	This commitment builds on the first national action plan to increase the amount of published data conforming to the open data standard on data.overheid.nl. The commitment text does not specify the number or quality of datasets that should be made available. The Ministry has published 'usable' datasets on the portal, but has not begun monitoring progress, nor has it begun assisting other governments in publishing data. Moving forward, the government should address CSOs' calls for more open data apps.
2. Stuiveling Open Data Award ('SODA') • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Substantial	This commitment aims to create an annual contest to incentivize the public and private sector to develop useful applications using government-provided data. Although the award encourages the re-use of data, it is not directly relevant to OGP values therefore it is not recommended to carry this forward into the next action plan.
3. ROUTE-TO-PA: Re-use of open data • OGP Value Relevance: Clear • Potential Impact: None • Completion: Substantial	This commitment is part of a larger European Horizon 2020 project that aims to explore ways open data can address social issues. However, its formulation in the action plan is vague and the government has no direct role in its implementation. The next action plan needs to include projects that fall within the direct responsibility of the government.
4. Active publication of information • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	This commitment builds on the first action plan's activities to align Dutch practice with the European Directive on the Re-use of Public Information. The government has published hundreds of research reports on kennisopenbaarbestuur.nl, but has not yet made feasibility assessments available. It is recommended that the government expand the current pilot to all government institutions and cover other categories of government information.
5. Open about finances: detailed open spending data • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	This commitment aims to increase the adoption of a new standard for financial transparency. Although the government has made substantial progress, the commitment is ultimately limited in scale; pursuing three local government pilots does not represent a transformative change in financial transparency in the country. To increase the potential impact, the government would need to expand the pilots nation-wide and consider providing more contextual information on spending data.
6. Publication of open data standard • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	This commitment aims to pilot the publication of information in a standardized, machine-readable format with five local authorities. VNG, the leading institution, cannot legally oblige Dutch municipalities to adopt the draft standard which narrows the scope of the commitment and has hindered completion. Moving forward, the government should focus on the quality of data and develop user-friendly apps for accessing published data.
7. Develop the skills of public sector staff • OGP Value Relevance: Clear • Potential Impact: Minor	This commitment aims to train staff within the Ministry of Infrastructure and the Environment to more effectively interact with civil society. However, the formulation of the commitment text is vague, and its scope is limited. If taken

• Completion: Limited	forward into the next action plan, the government needs to clearly communicate how these activities will enable greater civic participation.
8. Informal approach to freedom of information requests • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Not Started	The commitment builds on the first action plan to introduce alternative dispute resolution techniques and to apply an informal approach when handling FoI requests. The action plan does not sufficiently describe what the proposed "informal approach" would entail. If carried forward, the government needs to identify how the approach will help process FoI requests or provide greater access to information.
9. Support to other public sector organizations: Expertise Centre (LEOO) • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	LEOO has made substantial progress in supporting public sector organizations; helping them publish knowledge instruments and articles, and holding meetings. The focus and purpose of many of these activities, however, was not specified in the action plan. LEOO should continue to assist public sector organizations in implementing OGP activities but does not need to be included as a separate commitment.

Recommendations

The second action plan did not include several stakeholder priorities, such as the new FoI Act and beneficial ownership transparency. For the next action plan, the government needs to develop a multi-stakeholder forum and include ambitious commitments that address civic participation and integrity issues.

Beginning in 2014, all OGP IRM reports include five key recommendations about the next OGP action planning cycle. Governments participating in OGP will be required to respond to these key recommendations in their annual self-assessments. These recommendations follow the SMART logic; they are Specific, Measurable, Answerable, Relevant, and Timebound. Given these findings, the IRM researcher presents the following key recommendations:

Table 3: Five Key Recommendations

Improve institutional and CSO participation in the OGP process
Include large agencies, Parliament and judiciary in the OGP process
Include legally binding commitments on disclosing information
Include civic participation commitments
Improve the performance of the "House of Whistleblowers"

Eligibility Requirements: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, see Section VII on eligibility requirements at the end of this report or visit bit.ly/1929F1I.

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Open
Government
Partnership

I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

The Kingdom of the Netherlands (The Netherlands) began its formal participation in July 2011, when J. P. R. Donner, the Minister of the Interior and Kingdom Relations, declared his country's intention to participate in the initiative.[1]

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

The Netherlands developed its second national action plan from May 2015 to December 2015. The official implementation period for the action plan was 1 July 2016 through 31 December 2017. On 30 June 2017, the government extended this period by one year, through 31 December 2018. The milestones of all nine commitments were altered. This year one report covers the action plan development process and first year of implementation, from January 2016 to September 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation September 2017 will be assessed in the end-of-term report. The government published its mid-term self-assessment in September 2017.[2]

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Caroline Raat, who carried out this evaluation of the development and implementation of the Dutch second action plan. To gather the voices of multiple stakeholders, the IRM researcher organized a stakeholder forum, which was conducted according to a focus group model. She interviewed three academic experts in the field of open government and reviewed several government documents and websites, information provided by the lead institutions, the government and various indices, and academic and journalistic articles. Furthermore, the IRM researcher conducted an online survey. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

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[1] opengovpartnership.org/documents/netherlands-letter-of-intent-join-ogp.
[2] opengovpartnership.org/documents/netherlands-mid-term-self-assessment-2016-2018.

II. Context

The Netherlands scores high in open government benchmarks but in recent years the country has faced transparency and integrity challenges. The second action plan mainly includes commitments of a technical nature and does not adequately reflect the priorities identified by civil society, such as the need for a new Freedom of Information Act and beneficial ownership transparency.

2.1 Background

Traditionally, the Netherlands has regarded itself as exemplary when it comes to openness, equality and good governance. It is one of the founding countries of the European Union and the Council of Europe. The Hague has boasted of being the 'international city of peace and justice' for more than 100 years.[1] In the eyes of many Dutch people, this self-evident reputation of good governance is one of the reasons why open government issues have been largely overlooked until recently.

In 2017, the Netherlands ranked – together with 2 other countries – 8 out of 180 countries on Transparency International's Corruption Perceptions Index (CPI). This decline was caused by a low score on quality of democracy, good governance and rule of law.[2] Additionally, the Netherland's press freedom ranking dropped from two in 2016 to five in 2017.[3] On 21 March 2018, a consultative referendum was held on changes to the Intelligence and Security Services Act (Wet op de Informatie- en Veiligheidsdiensten, Wiv), that showed a small majority of the people oppose the change. According to Reporters without Borders, the Wiv gives government powers which might undermine the protection of journalistic sources.[4] Government parties in the House of Commons abolished the Referendum Act retroactively on 22 Februari 2018.[5]

The Netherlands scores 63 out of 111 countries on the Global Right to Information ranking.[6] The Constitution does not guarantee the right to information through the FoI Act, though it does provide a relatively strong statutory protection of the right. On 25 September 2017, several law professors stated on television that the Dutch FoI Act is outdated, does not meet European standards and needs to be modernized.[7] Since the current FoI Act does not meet the standards for open data and focuses on legal procedures to gather information rather than 'active openness' by the government, the lower house of parliament passed a new FoI Act in April 2016.[8] Due to objections by the former Minster of the Interior, however, the Senate has not passed the Act. The Minister initiated an impact analysis arguing that the implementation would be extensively costly. The analysis and the bureau that performed it, were criticized for non-objectivity and incorrectness.[9]

The Netherlands ranks eight on the Open Data Barometer in 2016. The country scores high on geodata and government budget data, but remarkably low on public contracts (15/100), company register (50/100), and detailed government spending data (5/100).[10]

The Panama Papers mentioned the Netherlands more than 500 times.[11] Recent research shows that the country is the world's number one fiscal facilitator for multinationals to move ('conduit') their money to tax havens.[12] The 2018 Financial Secrecy Index noted that the Netherlands lags behind on implementing the Fourth EU Anti-Money Laundering Directive,[13] and implies that the sector is prone to money-laundering activities. Researchers have also identified an increase in the penetration of organized crime. These two factors have led to calls for more transparency, screening and awareness.[14]

Problems in transparency and integrity in The Netherlands are related to the Dutch 'polder culture.' The 'polder culture' has an impact on the Dutch action plan and its performance, and may partially explain the absence of key issues. According to recent literature, the 'polder' refers to a culture of informal and confidential decision making by ruling elites that distribute powerful positions by cooptation.[15] For instance, the are no rules to prevent the revolving door of politicians becoming lobbyists and board members as soon as they leave public office. This 'polder' could be seen by some as 'a light form of swindling or benefiting friends.'[16] The importance of maintaining good relations

between government, elites and interest groups may also lead to the downplaying and denying of illicit behavior.

The umbrella organizations of local and regional governments – which position themselves as interest groups – were reproached for having 'killed' the new FoI Act.[17] One interviewed expert noted that over the past few decades, openness in the Dutch public sector culture has seriously declined.[18] This development undermines not only transparency but also the Rule of Law, as well as responsive and good governance.

2.2 Scope of Action Plan in Relation to National Context

The first action plan was ambitious but lacked focus. The second action plan has fewer commitments overall and focuses on specialized, technical commitments. However, these commitments largely do not cover the topics that stakeholders have prioritized, as expressed in recommendations made by the Coalition for Open Government and the Citizens' Panel. This was also noted by members of parliament.[19] Although stakeholders have asked for more transparency and participation commitments, seven of the nine commitments involve open data. According to Transparency International, the action plan "does not envision a general approach towards making the governments more open, accountable, and responsive to citizens, but it rather s a patchwork of specialized commitments."[20]

One possible reason why the government has shown reluctance in tackling a number of these important issues is the 'polder culture', as discussed in Section 2.1. Additionally, it is important to note that several commitments (specifically, commitments 7 and 8) do not address the potential risk of the 'polder culture', which may affect implementation. Commitment seven involves networking with interest groups to develop policy plans. Transparency International has stated that the choice of invited parties may exclude other parties, and the informal decision making that results may not be transparent.[21]

The second primary focus of the action plan, open attitude, more clearly reflects calls from the general public to address the government's bureaucracy and improve transparency. That said, the action plan should also include other priority themes that affect the Netherlands. For example, research has revealed the illicit and 'informal' influence of law clerks and interns on adjudication within the Judiciary.[22] There are also concerns regarding the Judiciary's transparency due to its reluctance to disclose the side jobs of judges.[23]

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[1] Brochure, denhaag.nl/web/file?uuid=f92c0be3-0557-4ad1-951b-99b6cf204aa4&owner=2c115978-72f6-4055-8ff7-b248b76e0d8c.

[2] transparency.nl/nieuws/2018/02/cpi-2017-ruim-tweederde-landen-kent-ernstige-corruptie.

[3] Reporters Without Borders: Netherlands, rsf.org/en/Netherlands.

[4] Reporters Without Borders: Netherlands, rsf.org/en/Netherlands.

[5] Government Documents, zoek.officielebekendmakingen.nl/dossier/34854.

[6] Global Right to Information Rating, http://www.rti-rating.org/country-data.

[7] Nieuwsuur, uitzendinggemist.net/aflevering/407231/Nieuwsuur.html.

[8] Draft FoI, Acteerstekamer.nl/wetsvoorstel/33328_initiatiefvoorstel_voortman

[9] Publications on impact analysis; sconline.nl/artikel/geen-trek-de-wet-open-overheid; binnenlandsbestuur.nl/digitaal/nieuws/wet-open-overheid-nek-omgedraaid.9555675.lynkx.

[10] Open Data Barometer: Netherlands, opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=NLD

[11] Panama Papers and Netherlands, fd.nl/economie-politiek/1198010/meer-nederlanders-in-panama-papers-dan-eerder-bekend.

[12] Scientific Reports: Uncovering Offshore Financial Centers, nature.com/articles/s41598-017-06322-9.

[13] Financial Secrecy Index 2018, financialsecrecyindex.com/PDF/Netherlands.pdf.

[14] P. Tops and J. Tromp, De achterkant van Nederland, hoe onderwereld en bovenwereld verstrengeld raken, Balans 2016.

[15] W. Slingerland, nrc.nl/nieuws/2012/11/17/ons-gepolder-werkt-corruptie-in-de-hand-12579101-a1268134; SER, 2doc.nl/speel~VPWON_1171471~alexander-rinnooy-kan~.html; B. de Koning, vn.nl/politieke-integriteit2016-de-grootste-zonden-in-de-polderpolitiek. T.Holman, 'Hollandse corruptie', Het Parool, 6 Februari 2012; M. Van Hulten, 'Nederland-corruptieland' Civis Mundi. Tijdschrift voor Politieke Filosofie en Cultuur, September 2012.

[16] J. Huizinga, Nederlands Geestesmerk, 1935, p.13.

[17] M. Delaere, binnenlandsbestuur.nl/digitaal/nieuws/wet-open-overheid-nek-omgedraaid.9555675.lynkx.

[18] Interview with prof. W.J.M. Voermans, Leiden, 25 August 2017.

[19] Parliamentary Committee meeting on Action Plan,
tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2015A05722.

[20] Transparency International Netherlands' prepublication comments, 11 April 2018.

[21] Focus group meeting, September 2017.

[22] Transparency on law clercs, advocatenblad.nl/2017/09/22/transparantie-positie-griffiers.

[23] Side jobs of judges, fd.nl/frontpage/Print/krant/Pagina/Economie___Politiek/620469/bijbanenregister-rechters-nog-vol-hiaten.

III. Leadership and Multi-stakeholder Process

Several meetings were held with CSOs and citizens in 2015 to share ideas for the second action plan. The government ultimately formulated their own commitments and did not explain why CSO suggestions were not taken into account. The government did not establish a regular multi-stakeholder forum to enable consultation during implementation.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in The Netherlands. Table 3.1 summarizes this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

1. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	✔	
	Shared	**Single**
Is there a single lead agency on OGP efforts?		✔
	Yes	**No**
Is the head of government leading the OGP initiative?		✘
2. Legal Mandate	**Yes**	**No**
Is the government's commitment to OGP established through an official, publicly released mandate?		✘
Is the government's commitment to OGP established through a legally binding mandate?		✘
3. Continuity and Instability	**Yes**	**No**
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?		✘
Was there a change in the executive leader during the duration of the OGP action plan cycle?		✘

The Netherlands is a decentralized, unitarian state. It consists of 12 provinces, 388 municipalities and 22 water boards, all with their own democratically established, relatively autonomous regimes. Because there is no national legislation on OGP issues, cooperation is largely a matter of voluntary compliance according to the traditional polder model, as explained in Section 2.1. The national government does not have an official mandate that would oblige regional or local governments to implement OGP activities. The umbrella association of local governments participated activtely in on or more commitments.

The Prime Minister and his Ministry of General Affairs are not involved in Open Government, nor is Parliament. The Ministry of the Interior and Kingdom Relations ("The Ministry") is the coordinating office for the Dutch OGP commitments. This Ministry is responsible for the internal organization of government, information (FoI, open data), democracy and citizenship, the Caribbean Netherlands ('Kingdom Relations'), public housing, and national properties. As of 10 October 2017, there is a new, four-party coalition government. Mrs. K. Ollongren is the new Minister of the Interior and Kingdom Relations.

The Ministry has a policy team for open government, in the Department of Democracy, in the Directorate Democracy and Citizenship. One full-time employee is attributed to OGP activities. There has been no change in mandate or OGP leadership since the Netherlands joined OGP in 2011.

The Ministry has no legal power to enforce policy changes on other agencies within the national, provincial and local government. (Table 3.1 provides an overview of the leadership and mandate of OGP in The Netherlands). In 2013, the Ministry established a Learning and Expertise Centre on Open Government (Leer- en Expertisecentrum Open Overheid, LEOO) that is involved in the open government process. LEOO shares knowledge and experience on open government with other government organizations and employs three people. The budget for OGP-related activities is €70,000 per year.

Since the beginning of 2016, the Ministry has held two meetings with all the lead institutions and LEOO staff. Some commitments are led by non-governmental lead institutions, such as the Netherlands Association of Municipalities (Vereniging voor Nederlandse Gemeenten, VNG) and the Open State Foundation (OSF). The IRM researcher observed both meetings.[1] The website open-overheid.nl, run by LEOO, has been quite active.

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan but may not be responsible for commitments in the action plan.	2[2]	0	0	0	unknown
Propose: These institutions proposed commitments for inclusion in the action plan.	2[3]	0	0	1[4]	1[5]
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	2[6]	0	0	2[7]	0[8]

According to the action plan, government participation involves all ministries, provinces, local governments and water authorities. In practice, this participation is limited to two ministries, one province, a public university, a few local governments (that are mentioned in blogs on the LEOO website), and two non-governmental institutions (the Netherlands Association of Municipalities (VNG) and the Open State Foundation (OSF).[9] VNG and OSF were responsible for the implementation of two commitments (commitment 5 and commitment 6). Other than these institutions, the listed ministries and agencies did not propose, develop, or implement the commitments. Table 3.2 above details which institutions were involved in OGP, as stated in the action plan.

On 2 June 2015, the Ministry of Interior and Kingdom Relations ("the Ministry") held an informal consultation with an unknown number of local government leaders, such as mayors and high-level civil servants. These "five-minute talks" took place on the conference floor of a closed conference organized by their umbrella association, VNG.[10] There are no minutes of these meetings. The results of these talks have not been disclosed. According to an email from the Ministry on 29 June 2017, VNG and one of its branches, Knowledge Institute for Dutch Municipalities (KING), signed up to implement OGP commitments at the subnational level. VNG/KING also participated in the first action plan.

Since the beginning of 2016, the Ministry has held two meetings with all the lead institutions and LEOO staff. The IRM researcher observed both meetings.[11] The first meeting was held to explain OGP and the action plan. It was also the first opportunity for all lead institutions to get to know each other informally. The second meeting focused on updates on the commitments. The website, open-overheid.nl, run by LEOO, has been very active. All lead institutions blog about their commitments every six weeks, informing the public on their progress.[12] There is no option for website visitors to comment on the blogs.

3.3 Civil Society Engagement

During the first half of 2015, the Ministry of Interior and Kingdom Relations ("the Ministry") held two meetings. On 18 May 2015, the "Do Open Festival" was held in Amsterdam. While the festival scheduled one OGP-specific event, the scope of the event was broader than OGP. The agenda, published on 14 December 2014, planned for a 1.5 hour session to serve as the action plan consultation kick-off. It is unclear how many people attended this session or what their background was because there is no list of participants from either the session or the 'Do Open Festival'.[13] According to the Ministry, an inventory of ambitions for the second action plan took place during the session, and parties were invited to co-create the action plan.[14] In a 29 June 2017 email to the IRM researcher, the Ministry explains that 'various ideas were shared, though these did not lead to any commitment'.

On 17 June 2015, the Ministry held a full-day, invitation-only meeting. 'Open Gov in Action' took place in Utrecht. 120 professionals and CSO representatives were invited, and about 100 people attended the meeting, including the former and present IRM researchers. The Ministry wrote in its email of 29 June 2017 that the policy team selected eight topics ahead of the meeting that participants could talk about in working groups.[15] Participants were given the opportunity to sign up as possible lead institutions for the second national action plan. Working groups proposed many ideas and suggestions, and the ministry's project leader summarized them on stage at the end of the day; however, these were not used in the action plan.[16] The Ministry added that there was 'a lot of input and inspiration, but that it was too hard to make the step forward to actual commitments.'

A Citizen's panel of 18 pre-selected representatives was consulted for the second action plan. A consultancy bureau was hired to select citizens that had experience with government, but did not have professional ties to government. 85 people were invited, but only 18 people attended. The meeting was informal and interactive in nature. Its report was disclosed on 27 June 2015.[17] According to the panel, an 'Open Attitude' was by far the most important theme mentioned by government, followed by clear information and open local government. Open data was considered

least important. Other commitments (not suggested by government) included topics such as privacy and creating more opportunities for people to share their information with the government.

During the summer of 2015, a draft of the second action plan was written. According to the Ministry's email of 29 June 2017, the invited lead institutions formulated their own commitments and milestones, and the Open Government policy team wrote the general chapters. The government chose to keep the action plan 'small and limited in scope'. There are no reports on this writing process.

On 21 September 2015, the Manifesto 'Our Gov, Our Info', written by the Coalition on Open Government – that included all relevant CSOs in the Netherlands - was published.[18] The Manifesto commented on the first action plan and gave clear suggestions for the next action plan, including modernizing the FoI Act, lobby and beneficial ownership transparency, an open legislation process, data education, and privacy. The Ministry organized a meeting with this coalition on 24 September 2015 and discussed the second action plan.[19] The Open State Foundation (OSF), a member of the Coalition but also a lead institution in the first action plan, took on the role of a lead, implementing institution in the 2016-2017 action plan.

On 21 September 2015, the Ministry explained to the Citizens' panel why its suggestions were not included in the second action plan. There are no minutes of this meeting, and at the time of writing this report, the Citizens' panel no longer exists.

Though an internet consultation on the draft action plan was promised on 8 October 2015, this did not take place.[20] According to the email of 29 June 2017, the official consultation website was not suitable for policy issues and there was not enough time to create an alternative. The Ministry stated that after the meetings in September 2015, the text of the draft action plan was altered in a minor way.[21] During October and November 2015, coordination with all ministries took place. The Ministry's email of 29 June 2017 explains that the Cabinet made the final decision on the action plan. On 15 December 2015, the action plan was published on the OGP website. The Minister sent the action plan to Parliament on the following day. A few months later an annex, including the commitments according to the OGP template, was published on the OGP website.

A seven-minute film was made on the whole consultation process.[22] In this film there is no information on the selection process. The Ministry noted that commitments were ambitious and met the SMART criteria: specific, measurable, actionable, relevant and time-bound. The proposals and ideas of CSOs were not part of these selection criteria.[23] The researcher noted in the film that the former team leader of the Ministry emphasized the close link between the second action plan and the National Open Data Agenda. The team leader also states that – because of the film – the action plan's realization process has been 'transparent and exemplary.' She says that the CSO and other participants 'have been heard and involved.' In a brief interview held on 2 February 2016, the researcher concluded that, in hindsight, the Ministry should have taken more time and provided more opportunities to co-create the action plan.[24]

Following the criteria outlined in Table 3.4, the IRM researcher assessed the level of public input during action plan development to be 'consult'. Though meetings were held and CSOs had sufficient opportunities to express their wishes on the second action plan, topics were internally chosen and the Ministry's policy team did not directly incorporate CSOs' suggestions. Motivation for the government's choice has not been published, other than a brief explanation in the general section of the second action plan, which says that the focus will be on open data and open attitude.[25] The IRM researcher found that the development process of the action plan has been essentially top-down.

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of The Netherlands during the 2016-2018 action plan.

Table 3.3: National OGP Process

	1. Timeline Process & Availability			2. Advance Notice		
Before	Timeline and process available online prior to consultation	Yes ✔	No	Advance notice of consultation	Yes ✔	No
	3. Awareness Raising			**4. Multiple Channels**		
	Government carried out awareness-raising activities	Yes ✔	No	4a. Online consultations:	Yes	No ✘
				4b. In-person consultations:	Yes ✔	No
	5. Documentation & Feedback					
	Summary of comments provided				Yes	No ✘
During	**6. Regular Multistakeholder Forum**					
	6a. Did a forum exist?	Yes	No ✘	6b. Did it meet regularly?	Yes	No ✘
After	**7. Government Self-Assessment Report**					
	7a. Annual self-assessment report published?	Yes ✔	No	7b. Report available in English and administrative language?	Yes ✔	No
	7c. Two-week public comment period on report?	Yes ✔	No	7d. Report responds to key IRM recommendations?	Yes	No ✘

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[26] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborative."

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.	✔	
Inform	The government provided the public with information on the action plan.		✔
No Consultation	No consultation		

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarizes that information.

At the time of writing, there has been no consultation on action plan implementation by the government. It did not create a multi-stakeholder forum and there have been no meetings with any of the CSOs involved in implementing the commitments since the action plan development phase.

In December 2016, LEOO organized the "How Open Festival," but the festival did not include any sessions on OGP implementation. The Minister of the Interior, and many people either involved or interested in Open Government, including the IRM researcher, attended the event.[27]

The IRM researcher has been told by the point of contact that the Ministry is taking serious steps to meet the multi-stakeholder forum requirements for the next action plan period. It says that the forum will include a journalist, a researcher and people from all government levels. Also, the festivals and other gatherings could be used for this purpose. In general, the lack of focus in the previous period should not be repeated when preparing the third action plan.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

The Ministry wrote an extensive self-assessment report, covering all commitments.[28] The lead institutions were responsible for reporting on completion levels for their respective commitments. The self-assessment report did not include any discussion of key recommendations from the previous IRM report nor how these recommendations were integrated into the current action plan. An online consultation of the self-assessment draft was held between 15 August 2017 and 1 September 2017. According to the Ministry point of contact, there was only one comment made. This comment is not publicly available. Given the very limited comments received, the finalized version of the self-assessment report is identical to the draft that was published on 15 August 2017.[29] The IRM researcher found that many of the activities reported in the self-assessment were not related to the commitments and milestones outlined in the action plan. The researcher also found that the self-assessment report often lacked concrete evidence or reference to accessible sources to justify completion levels.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

	Recommendation	Addressed?	Integrated into Next Action Plan?
1	The IRM researcher recommends that, by the end of 2015, the government commits to providing a legal basis for granting citizens access to review personal data held by government including who has reviewed this data, when, and for what purposes. In order to achieve recent recommendations made by the General Audit Court on the basis registries, as a first step, Government can explicitly mandate the National Ombudsman to help citizens realize their right to correct and review personal data.	✗	✗
2	As part of the next action plan, Netherlands can commit central government ministries and agencies to follow the example set by the Ministry of Finances and report their finances in the General Court of Audit open data format.	✗	✗
3	The IRM researcher recommends the next action plan should contain an analysis of the categories of information that are of interest to the public and make this information available. This would help implement the European Directive on Public Information 2013/37/EU. The method for publishing open data developed by the Ministry of Finance for the national budget should be applied to financial items in all ministries and should be inserted into the national budget.	✗	✗
4	Government should enforce uniform use of existing integrity tools by local and regional governments by applying systems adopted by a coalition of forerunning municipalities. Local governments should be legally obliged to have online accessible registries on integrity violations before the end of 2015. Items from this strategy can be included as part of the next OGP action plan.	✗	✗
5	The IRM researcher recommends taking commitments to structurally embed Pleio as a platform for interorganizational communications and sharing of innovation, as supported by various Dutch government officials and civil society organizations.	✗	✗

The five previous IRM recommendations covered the right to correct and review personal data, open budget and spending, active publication of government information, instruments to enhance integrity, and open working. Two of the five previous IRM recommendations have been addressed, but the commitments and milestones incorporated into the second action plan (commitments 4 and 5) do not reflect the content of the IRM recommendations.

In the self-assessment, the government stated that it was unable to incorporate all recommendations because it "needed to limit the number of commitments."[30] Other than this statement, the IRM

researcher could not retrieve any reflection on the recommendations made during the first action plan, or explanation for why they were not carried forward.

1 open-overheid.nl/open-overheid/actiehouderbijeenkomst-actieplan-open-overheid.

2 Ministry of Interior, Ministry of Infrastructure and Environment.

3 Ministry of Interior, Ministry of Infrastructure and Environment.

4 Utrecht University.

5 Province Groningen.

6 Although the action plan lists 12 ministries, in practice, the two ministries that were responsible for implementation were the Ministry of the Interior and Kingdom Relations and the Ministry of Infrastructure and the Environment. The 12 listed ministries are: Ministry of General Affairs; Ministry of Agriculture, Nature and Food Quality; Ministry of Defence; Ministry of Economic Affairs and Climate Policy; Ministry of Education, Culture and Science; Ministry of Finance; Ministry of Foreign Affairs; Ministry of Health, Welfare and Sport; Ministry of Infrastructure and Water Management; Ministry of the Interior and Kingdom Relations; Ministry of Security and Justice (since 2018: Justice and Security); Ministry of Social Affairs and Employment.

7 Utrecht University, ICTU.

8 Although all provinces, municipalities and water authorities were listed in the action plan, most of these institutions were not directly responsible for implementing commitments.

9 Participation is mentioned in blogs on the LEOO website. For example, open-overheid.nl/open-overheid/actieplan-open-overheid-update-2.

10 Self Assessment 2016 by the Ministry, p. 7, storify.com/renewthinking/openoverheid-bij-vng.

11 open-overheid.nl/open-overheid/actiehouderbijeenkomst-actieplan-open-overheid.

12 open-overheid.nl/actieplan-open-overheid-2016-2017.

13 open-overheid.nl/open-overheid/doeopenfestival.

14 open-overheid.nl/bijeenkomst/doe-open-in-de-achteruitkijkspiegel.

15 The topics were: financial transparency, clear information, insight in decision making, best local practices, learning from other countries, open by design, open data and open culture.

16 open-overheid.nl/open-overheid-in-actie.

17 Citizens' Panel, 27 June 2015, rijksoverheid.nl/documenten/rapporten/2015/06/27/advies-burgerpanel-actieplan-open-overheid-2016-2017.

18 http://waag.org/nl/article/manifest-voor-een-open-overheid.

19 Minutes, open-overheid.nl/wp-content/uploads/2015/10/overleg-actieplan-24sept1.pdf.

20 Promise of internet consultation, open-overheid.nl/open-overheid/actieplan-open-overheid-hoe-staat-het-ermee

21 Draft action plan, open-overheid.nl/open-overheid/open-overheid-moet-echt-in-de-vingers-gaan-zitten, open-overheid.nl/open-overheid/actieplan-open-overheid-2016-2017-hoe-gaan-we-verder.

22 Action plan video, youtube.com/watch?v=PP8j37OcpX0.

23 Mail to researcher by Ministry point of contact, 29 June 2017.

24 Action plan leader, open-overheid.nl/interview/in-actie-voor-open-overheid-kaat-goderie.

25 Action Plan 2016-2017, p.8.

26 IAP2 Spectrum of Participation, c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

27 How Open Festival, open-overheid.nl/open-overheid/terugblik-hoe-open-festival.

28 Action plan commitments, open-overheid.nl/wp-content/uploads/2017/08/Bijlage-NL-Commitment-Completion-Templates.pdf.

29 Action plan, open-overheid.nl/wp-content/uploads/2017/10/2017-sept-Midterm-zelfevaluatie-definitief-incl-bijlage-NL-PDF.pdf.

30 Midterm Self-Assessment Report, opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.[1]

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
  - **High**: Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
  - **Medium**: Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
  - **Low**: Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
  - **None**: Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
  - **Access to Information:** Will the government disclose more information or improve the quality of the information disclosed to the public?
  - **Civic Participation:** Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
  - **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions?
  - **Technology & Innovation for Transparency and Accountability:** Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?[2]
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
  - Identify the social, economic, political, or environmental problem;
  - Establish the status quo at the outset of the action plan; and
  - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:
- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgement about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.

- The commitment would have a "transformative" potential impact if completely implemented.[3]
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Based on these criteria, the Netherlands's action plan contained no starred commitments.

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for the Netherlands and all OGP-participating countries, see the OGP Explorer.[4]

General Overview of the Commitments

In July 2017, the Netherlands action plan was extended until 20 June 2018 to align with the OGP calendar. This report assesses the revised action plan, which includes an appendix with additional clarification on commitment objectives. The action plan focused on two key areas – Open Data and Open Attitude. The commitments in this report follow the organization provided in the action plan and its appendix.

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[1] Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf.
[2] IRM Procedures Manual, https://www.opengovpartnership.org/documents/irm-procedures-manual
[3] The International Experts Panel changed this criterion in 2015. For more information visit: http://www.opengovpartnership.org/node/5919.
[4] OGP Explorer: bit.ly/1KE2WIl.

1. National Open Data Agenda ('NODA')

Commitment Text:

In the manifesto Onze Overheid, Onze Informatie ('Our government, our Information'), various civil society organisations call on the government to accelerate the process of making data available and accessible. Open data will certainly make the government and its processes more transparent for the general public. It will also allow the private sector to develop new applications, products and services. All ministries are therefore working to make the data they hold available to society at large. The Ministry of the Interior and Kingdom Relations (BZK), in association with those other ministries, must establish frameworks governing how the data is to be made accessible and the quality requirements it must meet. We shall do so by means of the National Open Data Agenda. The Ministry of BZK will also support and assist other public sector authorities and the (re-) users of the data. The online portal https://data.overheid.nl serves as the central access point for all government data.

Milestones:

1. *The portal https://data.overheid.nl is fully accessible and its datasets are 'usable'*

2. *The government-wide inventory of datasets is to be repeated and updated regularly*

3. *The ministry of the Interior and Kingdom Relations will monitor progress in publishing datasets through the data.overheid.nl portal*

4. *The ministry of the Interior and Kingdom Relations will assist other governments in publishing data*

5. *The ministry of the Interior and Kingdom Relations will offer assistance registering, finding, and re-using data*

   a. *Visitors of the data portal data.overheid.nl. can submit requests for the publishing of specific datasets by the government. The ministry of the Interior and Kingdom Relations will publish these data requests and the corresponding results on the data portal.*

   b. *An open data users group is to be set up to assess the functioning of the portal. A public session will be held at least 4 times a year, in which data owners, re-users, developers and civil society organisations meet and exchange experiences and ideas.*

Responsible Institution: Ministry of the Interior and Kingdom Relations

Supporting Institution(s): All other departments, municipalities, water boards and provinces

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
1. National Open Data Agenda ('NODA')			✔		✔					✔			Yes		✔		

Context and Objectives

This commitment builds on the open data measures in the first action plan and seeks to increase the number of published data on data.overheid.nl that aligns with the open data standard. Despite the fact that the amount of available open data has doubled,[1] the majority of data is being published by the Central Bureau of Statistics, and other government ministries lag behind. At the start of this commitment, around 10 percent of all government agencies published data on data.overheid.nl. The Dutch government aims to increase the number and quality of available datasets.

The commitment activities include establishing an inventory of datasets, monitoring progress on publishing datasets and providing assistance to other agencies to ensure their datasets conform to universal data description and re-usability standards. While commitment activities outline the responsibilities of different actors involved, the action plan does not specify the number or quality of datasets that should be made available, making it difficult to assess progress. Furthermore, the end dates and goals of listed milestones are not always clear.

By increasing the number of free, reusable, open government data and allowing the public to request publication of datasets, this commitment is relevant to access to information.

This commitment represents a positive step in improving the amount and structure of data provided. However, even if fully implemented, it is difficult to determine if the potential impact would be greater than minor. While 10 percent of government agencies currently disclose data on the portal, there is no specified target for increased disclosure.

Completion

The commitment's completion so far has been limited. In September 2017, 11,676 datasets were published on data.overheid.nl.[2] According to the government self-assessment report, 11,322 are available under open license. The commitment text aimed for at least 90 percent of the links to reusable data to be accurate: according to 'link checker' shown in the website, 97.9 percent of the links are correct. The self-assessment also reports that datasets are 'usable' and comply with set standards (milestone 1).[3] However, there is no independent source that can confirm this. According to the website, only a minority of national, regional and local government agencies participate by publishing their data on the site.[4] For instance, out of nearly 400 municipalities, only 34 have uploaded one or more datasets.

In early 2017, the Ministry of the Interior and Kingdom Relations carried out a government-wide inventory (milestone 2). According to the self-assessment, the results have been published on data.overheid.nl and have been sent to Parliament.[5] Though the data managers check the data on the website every day, the original owners of the datasets (the government agencies) remain responsible for the data uploaded on to the portal, and there is no guarantee that all data are license free.

The Ministry of the Interior and Kingdom Relations has not begun work on monitoring progress (milestone 3). There is a support team responsible for monitoring the published datasets on data.overheid.nl but that there is no publicly available information that the support team fulfills this task, and the government did not reply to requests for evidence of monitoring progress.

Unlike the statement in the government self-assessment report, the ministry's spokesperson informed the IRM researcher that the manual (milestone 4) has not been updated yet. At the time of writing, no changes to the manual has been made. According to the government's spokesperson, a support team of two full-time employees are available to assist government agencies in publishing their data (milestone 5). This support team also performs inventories of datasets and updates the manual for public sector authorities. The team initiated user group meetings that are open to the public.[6]

Early Results (if any)

According to the statistics page of data.overheid.nl, the Ministry of the Interior and Kingdom Relations has handled 615 data requests since 1 January 2015.[7]

Next Steps

The IRM researcher recommends the continued implementation of this commitment in the remaining period of the action plan. If taken forward into the next action plan, the government should consider the following modifications.

First, the government needs to reformulate the milestones to clearly list its goals and end dates. Second, the Dutch Court of Audit suggests the government consider the example of the UK for data infrastructure and the establishment of a Data Institute.[8] Third, the government should address CSOs' calls for more open data apps or other tools that can be used by non-specialized users to extract the information they need. It may be a good start to cooperate with VNG/KING and OSF to add explanatory texts to local open spending information.

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[1] Dutch Court of Audit, rekenkamer.nl/publicaties/rapporten/2016/03/24/trendrapport-open-data-2016.

[2] Data portal, data.overheid.nl/statistieken.

[3] Midterm self-assessment report, opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.

[4] Data portal, data.overheid.nl/monitor/organisaties.

[5] Ministry inventory, zoek.officielebekendmakingen.nl/kst-32802-37.html.

[6] Data portal, data.overheid.nl/bijeenkomsten.

[7] Data portal, data.overheid.nl/statistieken.

[8] Dutch Court of Audit, rekenkamer.nl/publicaties/rapporten/2016/03/24/trendrapport-open-data-2016.

2. Stuiveling Open Data Award ('SODA')

Commitment Text:

The government will make as much data as possible freely available to the general public and the business community. If the data is in a form that permits simple re-use and processing, it becomes possible to develop useful new applications in areas such as education and healthcare, or to promote democracy and good governance. As an incentive to the development of new applications, products and services, the government is to introduce the 'Stuiveling Open Data Award' (SODA), which will be presented to a public or private party who has used open data in an innovative manner to address current societal challenges. The award will encourage both the public and private sectors to learn from each other's experiences.

Milestones:

1. *An annual contest to promote the re-use of open data. Each year the winner will receive an amount of €20,000. The Stuiveling Open Data Award will be awarded up until 2020 (five times in total and twice during the duration of this action plan).*

2. *There will be an annual presentation ceremony.*

3. *To promote and support the competition, a website is to be launched in 2016. It will highlight best practice examples of the re-use of open data. All entries that meet the competition requirements will be shown on the website (the competition requirements are available online). And the finalists and winner will be showcased more elaborately.*

Responsible institution: Ministry of Interior and Kingdom Relations

Supporting institution(s): LEOO, ICTU

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
2. Stuiveling Open Data Award			✔		Unclear					✔			Yes			✔	

Context and Objectives

The objective of this commitment is to incentivize the public and private sector to develop useful applications based on government-provided data to address societal challenges. This will be achieved by creating an annual contest –The Stuiveling Open Data Award (SODA) –that awards a €20,000 prize. The overall specificity of this commitment was high, since the deliverables (e.g. contest, ceremony, and website) are clearly measurable. However, the commitment text does not provide clear criteria on how the submission will be judged and does not highlight best practices.

While one survey respondent suggested that incentivizing new initiatives should always be welcomed, one issue raised by a member of parliament is that no one outside the 'open data circle' has ever

heard of SODA and that it is 'nice, but not a top priority'.[1] Other survey respondents had harsher criticism, calling it 'nice symbolism', 'nonsense', and a 'distracting show'. In terms of potential impact, the IRM researcher found that if fully implemented, the potential impact would be minor because SODA, as an award and as a website, is not known outside the inner circle. The prize money is relatively low, which raises the question of this award's capacity to further incentivize market parties.

As written, the commitment activities include the creation of an annual contest, an annual awards ceremony and the development of a website to raise awareness of the SODA and highlight best practices. This commitment is not directly relevant to any OGP values. Though the initiative may be helpful to consumers and contractors, the IRM researcher found no direct relation to access to information, citizen participation or public accountability. While the applications developed as part of this contest may result in some innovations that could be relevant to OGP values, SODA does not aim to open more public data in a more innovative manner. It encourages the re-use of these data.[2]

Completion
There has been substantial progress on this commitment. On 12 December 2016, the Minister of the Interior presented the SODA during the 'How Open Festival', which was visited by about 400 people (milestones 1 and 2).[3] The website, SODA.nl, was launched in March 2016. It briefly shows the 2016 Award winners and 'best practices,' according to the Ministry of the Interior and Kingdom Relations. Other website content mentioned in the self-assessment report, such as an interview with Prince Constantijn, is appealing, but not included in the action plan.

The winner of the SODA 2016 was Bleeve, a commercial initiative that uses several open datasets to offer homeowners information on energy-saving measures for their homes.[4] According to the jury, the application uses open data – statistics, address and building registry data – in an innovative manner. It promotes environmental friendliness and offers value to society and homeowners, by helping them find and compare building contractors that offer insulation, solar energy and other energy-related improvements.[5] A test by the IRM researcher of the home scan (the awarded app) gave general information on the house (age, size), and direct reference to contractors. The app is, based on this small test, useful and usable and is used by more than 30,000 people, according to the website counter. However, in terms of open government and relevance to OGP values, Bleeve does not change government practice in the area of increasing the re-usability of public data nor does it promote increased civic participation or public accountability.

Next Steps
Survey respondents, CSOs, and the IRM researcher recommend that SODA not be continued as an OGP commitment.

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[1] Kamerstukken II 2016–2017, 32802, nr. 30, p.4.
[2] Stuiveling Open Data Award 2016, opendata-award.nl/documenten/publicaties/2016/09/28/2016-09-27-jurycriteria-stuiveling-open-data-award-soda-2016.
[3] Bleeve wins Open Data Award, opendata-award.nl/actueel/nieuws/2016/12/11/xxxxx-wint-eerste-stuiveling-open-data-award.
[4] Bleeve energy-saving measures, bleeve.nl.
[5] SODA 2016, opendata-award.nl/documenten/rapporten/2016/12/10/juryrapport-soda2016.

3. ROUTE-TO-PA: Re-use of open data

Commitment Text:

The province of Groningen has joined local governments and other stakeholders in the public and private sectors, civil society organizations and individuals, to explore ways in which open data can help to address and resolve social issues. The project is part of a three-year European Horizon 2020 innovation project entitled ROUTE-TO-PA, in which the social and societal impact of open data is to be assessed. The key objective of the project is to promote the re-use of open data using new IT applications. This will not only make government more transparent but will create new opportunities

Milestones:

1. *A social platform for open data (SPOD) which facilitates interaction between government and the users of open data with regard to one or more societal issues.*

2. *The development of a Transparency Enhancing Toolset (TET) for government and open data users to accompany the social platform.*

3. *Formulating guidelines and good practices (GUIDE) on the basis of the project results to ensure more effective use of open data in addressing various societal challenges.*

Responsible institution: Urecht University

Supporting institution(s): The Province of Groningen, the City of The Hague, the Ministry of the Interior and Kingdom Relations, Wise & Munro (Netherlands), the University of Salerno, Ancitel, Comune di Prato (Italy), National de la Recherche Scientifique (France), National University of Ireland, Dublin City Council, Dublinked (Eire), Warsaw School of Economics (Poland), Ortelio Ltd and the Open Knowledge Foundation (UK)

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
3. Re-use of open data		✔			✔				✔				Yes			✔	

Context and Objectives

ROUTE-TO-PA is a three-year European Horizon 2020 innovation project.[1] This commitment involves activities by an international multidisciplinary consortium with stakeholders in the public and private sectors, civil society organizations and individuals, to explore ways in which open data can help to address and resolve social issues. The commitment contains three vaguely formulated milestones: to develop a social platform for open data, develop a transparency enhancing toolset, and formulate guidelines and good practices. The overall specificity of this commitment is low. Although all listed activities could be construed as verifiable, it is not clear what interaction the social platform

aims to facilitate, nor is the purpose and functionality of the toolset specified. The steps to formulate the guidelines are also not clear, and therefore not measurable.

This commitment is relevant to the OGP value of access to information since it aims to enhance transparency measures of open data users and ensure more effective use of open data. The commitment also entails creating a social platform which would facilitate interaction between users of open data and the government. The level of meaningful input or influence users would have in government decisions, however, is unclear.

Due to vaguely formulated commitment text, it is not clear whether this commitment will have any potential impact. Since no government agency has direct responsibility for implementing this commitment, it is not clear whether it will affect government practice.

Completion

According to the government self-assessment, this commitment has been substantially implemented by third party organizations. The development of the Social Platform for Open Data (SPOD) is in an advanced stage[2] and its development is being led by a foreign company called Oxwall.[3] According to the website brochure, SPOD will be the technological basis for guided support toward citizens, providing mechanisms and tools to help to show the effectiveness of the interactions. Within this sub-project, the lead institution initiated a Population Decline Challenge. There are no publications on this challenge.[4] TET (transparency enhancing toolset) is an open data portal, developed by a foreign company called Insight.[5] Within this sub-project, the lead institution initiated a test by a group of users. There is no publication or other evidence on these activities. On the TET website, Dutch open data is provided by the Open State Foundation. According to the self-assessment report, the guidelines and good practices (GUIDE) have not been developed. It is not clear how the government is planning on using any of the tools developed by this commitment.

Next Steps

The IRM researcher recommends this commitment not be taken forward in the next action plan. First, the current formulation of this commitment does not clearly communicate its intended result. Second, "recent research shows that there are too many online platforms for e-democracy, and that these platforms often stop because citizens do not use them."[6] Third, without involving the Dutch government in implementation, this project cannot effectively change government practice around the re-use of open data.

In the future, the action plan should clearly identify the role of participating Dutch public institutions and only include projects that are within the direct responsibility of the government and that obtain results within the Netherlands.

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[1] Route-to-PA website, http://routetopa.eu.
[2] Midterm self-assessment report, https://www.opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.
[3] SPOD, http://spod.routetopa.eu.
[4] Route to PA blog, http://www.open-overheid.nl/gastblog/hoe-gaat-route-to-pa.
[5] Route-to-PA case study, http://routetopa.eu/tag/tet-en.
[6] Binnenlands Bestuur 2018-6, p.13.

4. Active publication of information

Commitment Text:

Under the current action plan, the pilot projects commenced under its predecessor are to be continued and expanded to other ministries, as requested by various civil society organizations. These pilot projects involve the publication of research reports. Activities to date have shown that there is no standard approach with regard to the publication of feasibility assessments. Not all are made public; those that are appear in various forms and through various channels. Accordingly, efforts will now focus on creating greater uniformity. Financial data, such as information about procurement and the award of grants and subsidies, is already being published to the greatest extent possible, whereupon no additional action is required under the current action plan.

Milestones:

1. *Five Ministries will make their research reports available online (at www.rijksoverheid.nl). The research reports are made available online within four weeks of the report being finalized.*

2. *The results of these pilots are to be assessed by or on behalf of the Ministry of the Interior and Kingdom Relations. The House of Representatives will be informed of the findings during the latter half of 2016.*

3. *The extended pilot projects will form the basis for active publication of reports, and for the government-wide implementation of the approach thus developed.*

4. *On the basis of the pilots, a manual will be made available to assist other departments with the development and implementation of the new work process.*

5. *The Ministry of the Interior will support the government-wide implementation of the new method of working by:*

   a. *organising four knowledge sessions (in 2017);*

   b. *developing and making available communication tools such as posters and banners;*

   c. *and by evaluating the government-wide active publication of research projects.*

6. *A further investigation of opportunities to publish feasibility assessments in 2016. The House of Representatives will be informed about the outcomes in January 2017.*

7. *Based on the results of this investigation, a standard procedure for the active publication of feasibility assessments will be developed under the responsibility of the Ministry of the Interior and the Ministry of Security and Justice (V&J). In addition, the government's online legislative calendar (https://wetgevingskalender.overheid.nl/) will be improved, so that for each legislative file all relevant documents are accessible.*

Responsible institution: Ministry of the Interior and Kingdom Affairs

Supporting institution(s): all other ministries and executive agencies

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4. Active publication of information				✔	✔					✔			Yes			✔	

Context and Objectives

The Dutch Public Access to Government Information Act[1] sets out clear requirements to ensure open access to public information. In practice, however, the scope of public information available is still limited. This commitment is the continuation of commitment one from the first action plan, which sought to align Dutch open access practice with the European Directive on the Re-use of Public Information (2013/37/EU).[2] Activities to date have shown that there is no standard approach when publishing feasibility assessments, and not all are made public.[3]

Although the commitment is titled, the 'active publication of information,' the main objective of this commitment is to disclose two categories of documents: research reports and feasibility assessments. In this action plan period, the Ministry of Foreign Affairs, the Ministry of Finance and the Ministry of Health, Welfare and Sport joined the pilot project that was started under the former action plan by the Ministry of the Interior and Kingdom Relations ("the Ministry") and the Ministry of Education, Culture and Science. The pilot focuses on disclosing research reports made by third parties under public procurement, such as scientific research reports commissioned by the government, that are usually used to develop or evaluate public policy. As such, this commitment is relevant to access to information.

The overall specificity of this commitment is high. Most commitment activities are clearly verifiable: the action plan indicates when and where research reports will be made available, it specifies the actions the Ministry will take to support the new approach, and it provides specific deliverables to gauge completion (e.g. documents addressed to the House of Representatives).

Interviewed stakeholders and experts pointed out that the active disclosure of information is the central issue of open government: there is a culture of reluctance toward publishing information.[4,5] This commitment represents a step in the right direction. In its present form, however, potential impact is limited because the project is still being piloted.

Completion

Overall, this commitment is substantially completed and on time. During the period covered by this report, milestones one, two, and four have been finalized and milestone five is well under way. The government has announced its intent for the pilot to be extended (milestone 3). There is no evidence that milestones six and seven have been started.

On 21 November 2016, the government informed Parliament in a formal letter about the results of the pilots that were evaluated by a working group.[6] According to the letter, during the pilot period, 178 research reports were received by various ministries. 100 reports were disclosed within the promised 28 days, and 66 were published later on. The reports are currently published on kennisopenbaarbestuur.nl (milestones 1 and 2).

In the same formal letter, the government publicly declared its decision to roll out the project on research reports to all ministries (milestone 3). Such a decision is, according to the project leader, taken seriously by civil service, but there is no control mechanism on compliance. This project will be assessed by Berenschot, a commercial research bureau. The lead civil servant told the IRM

researcher that it expects that the recommendations provided by Berenschot will be helpful. Recommendations were expected by 1 February 2018.

The manual to assist other departments is internally available and has been assessed positively by the IRM researcher (milestone 4). It is clear and complete. A PDF brochure has also been made internally available and handed over to the IRM researcher.

According to the self-assessment report, two knowledge meetings took place in the spring of 2017 (milestone 5). The government investigated the opportunities to publish feasibility assessments, and on 24 February 2017, the Minister of Security and Justice informed Parliament that the matter is complicated since the feasibility assessments are written and published in many different ways (milestone 6).[7] The plan was to publish the reports on the Legislative Calendar at the end of 2017. Although no feasibility assessments have been published yet, this does not represent a delay in the implementation of milestone seven since the publication of a standard procedure is planned for June 2018.

Next Steps
The IRM researcher recommends the government take this commitment forward into the next action plan with major modifications. Specifically, the government should consider the following:
- Use the manual and results of the assessment by Berenschot.
- Expand the current pilots to all government institutions.
- Include Parliament in the implementation of this commitment, since much of the information is meant for and available to Parliament.
- Expand the scope of the commitment beyond research reports and feasibility assessments to encompass the active disclosure of all other key categories of government information, with a specific focus on FoI requests, public contracts ('convenanten and beleidsovereenkomsten'), tax rulings, plea deals with large companies, petitions, etc.

[1] Access to information act, http://www.legislationline.org/documents/action/popup/id/6395.
[2] EU Directive, http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013L0037&from=FR.
[3] Appendix to the 2nd national action plan, opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf.
[4] Survey, appendix.
[5] Interview with prof. W. Voermans, August 2017.
[6] Pilot results, rijksoverheid.nl/documenten/kamerstukken/2016/11/21/'kamerbrief-over-voortgang-actieve-openbaarmaking-van-onderzoeksrapporten.
[7] Feasibility assessments, rijksoverheid.nl/documenten/kamerstukken/2017/02/24/tk-transparantie-van-het-wetgevingsproces.

5. Open about finances: detailed open spending data

Commitment Text:

Since 2015, provincial authorities, water management authorities and local authorities (the municipalities)have made their financial 'Information for Third Parties' (IV3) available through Statistics Netherlands/CBS and the website www.openspending.nl. BZK commissioned the Open State Foundation (OSF) to conduct pilots, that have been successful: all stakeholders see added value in standardizing financial information at this more detailed level. OSF is now working to implement a system in which all provincial authorities, local authorities and water management authorities use a common publication standard. The original 'detailed open spending data' programme has been extended to include these various decentral authorities.

Milestones:

1. *A handbook, an instruction video and a promotion video. The handbook will be sent to participating municipalities. The video's will be made available online on the websites http://openspending.nl/ andwww.open-overheid.nl.*

2. *Three thematic pilots with local governments, to add context to the detailed open spending data. A minimum of three local governments will participate in the pilots. The pilots will be evaluated in a final report. The results of the pilots will also be published on the website: http://www.openspending.nl/.*

3. *Two national workshops on 'Open Spending Data' (one in 2016 and one 2017).*

Responsible institution: Open State Foundation

Supporting institution(s): Provincial authorities, water management authorities, local authorities, the Ministry of the Interior and Kingdom Relations, the Interprovincial Consultative Committee (IPO), the Federation of Water Management Authorities (UVW) and the Association of Netherlands Municipalities (VNG)

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5. Open about finances				✔	✔					✔			Yes			✔	

Context and Objectives

Financial data of all Dutch local governments are available on an aggregated level. This commitment aims to provide more insight on income and expenditure to make Open Spending Detail Data the new standard for financial transparency. Detailed open spending data refers to re-usable spending data, including budgets, annual reports, income, expenditure and revenue of all Dutch municipalities and regional authorities. The lead institutions, Open State Foundation (OSF) and the Quality Institute

Dutch Municipality (Kwaliteitsinstituut Nederlandse Gemeenten, KING)[1], a subdivision of the Dutch umbrella organization of municipalities VNG, will contact and help governments release their detailed financial information on Openspending.nl and will expand functionality and improve user experience of the website.

The commitment involves three milestones: 1) a handbook, an instruction video and a promotion video; 2) three thematic pilots with local governments to add context to open data; 3) two national workshops. All milestones are measurable and have clear end dates and goals. As such, the commitment's specificity is high. If all governments adopted this standard, it would be a break-through in open spending. The open spending portal was rewarded by OGP in 2016.[2] In this evaluation, the IRM researcher focuses on the effect this commitment is likely to have on government practice, not on the strength of the concept. This commitment is assessed as having minor potential impact because it is limited in scale: pursuing three local government pilots is a positive step forward in open spending but is not a transformative change in overall government practice.

This commitment is relevant to the OGP value of access to information by disclosing more detailed spending data and enabling the larger public to find and use them. Although this commitment does not meet the OGP criteria for public accountability, it is a big step forward for investigative journalists and democratically elected council members, who are able to use the disclosed financial information to hold public officials accountable.

Completion

Overall, this commitment is substantially complete and on time. The handbook that was distributed among all municipalities, and is available on request, is comprehensive. It explains exactly how data must be made available according to the standards and how they can be sent to the OSF website. Both the instructional and promotional videos are appealing and clear in presentation, but they are difficult to find.[3] The first of two national workshops was held at the "How Open Festival."[4]

OSF has blogged about the progress on open-overheid.nl.[5] One pilot, in the city of Utrecht, is planned to be completed by the end of the year. Location data and context (explanation of what the data mean and imply) will be added to the spending information.[6] According to the OSF program manager, the program budget of the city of Dordrecht will be disclosed in a newly tested form. The province of Zuid-Holland will, according to the program manager, also participate in a pilot. Though there are no clear results released yet, the researcher finds that this milestone will be at least substantially completed by June 2018.

Next Steps

The IRM researcher recommends this commitment be taken forward into the next action plan, provided that it is modified in the following ways to increase its ambition. The government should consider developing a participatory budgeting interface, such as *Decide Madrid*, an open source civic technology platform created in 2015. The Municipality of Madrid developed *Decide Madrid* to enable citizens to propose, deliberate and vote on policies and city projects, and to ensure transparency in various government processes.[7] The platform uses Consul, a free software for citizen participation.[8]

The government should also expand the three pilots with local governments to a nationwide rollout of detailed open spending data. Additionally, CSOs and survey respondents have asked for more contextual information on spending data, such as subsidies.

[1] Association of Netherlands Municipalities, vng.nl/onderwerpenindex/dienstverlening-en-informatiebeleid/nieuws/king-heet-vanaf-1-januari-vng-realisatie.
[2] Making Transparency Count: The Open Government Awards, opengovpartnership.org/stories/making-transparency-count-open-government-awards.
[3] Open Spending promotional video's, vimeo.com/187259166,,vimeo.com/187251141.
[4] How Open Festival, open-overheid.nl/blokkenschema-hoe-open-festival/#rdv-calendar.
[5] OSF progress blog, open-overheid.nl/open-overheid/actieplan-open-overheid-update-10.
[6] Utrecht Municipality, openspending.nl/utrecht-gemeente/UtrechtBegroting2017batenprogramma/2017/programma.
[7] Decide Madrid, http://thegovlab.org/beyond-protest-examining-the-decide-madrid-platform-for-public-engagement/
[8] Consul website, http://consulproject.org/en.

6. Publication of open data standard

Commitment Text:
Title: Open local authority decision-making

Much of the 'council information' currently available to the general public and their elected representatives is unstructured and not in an open, machine-readable format. The information on which decisions have been, or are to be, based is difficult to find. Moreover, it is not possible to compare information produced by different local authorities, even when relating to the same topic. The Ministry of the Interior and Kingdom Relations and the Association of Netherlands Municipalities (VNG) have therefore commissioned the Open State Foundation to run a pilot project in which five local authorities will produce and publish information in a standardised, machine-readable format (as open data). This pilot project will create a basis for the publication of such data nationwide.

Milestones:

1. *Development and adoption of a standard for the publication of information as open data, in a form which is reliable, reusable and permits ready comparison.*

2. *The standard will have been implemented by all Dutch municipalities by June 30th 2018.*

Responsible institution: Association of Netherlands Municipalities (VNG)

Supporting institution(s): Open State Foundation, various local authorities and the Ministry of BZK

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6. Open local authority decision making			✔		✔						✔		Yes		✔		

Context and Objectives

Much of local council information, such as agendas and minutes of council meetings, is currently available but not provided to the general public and their elected representatives in an open, structured and machine-readable format. The information on which decisions have been, or are to be, based is difficult to find. It is not possible to compare information from different local authorities.

The Ministry of the Interior and Kingdom Relations and the Association of Netherlands Municipalities (VNG) have commissioned the Open State Foundation (OSF) to run a pilot with five local authorities to provide and publish information in standardized, machine-readable format. The commitment lists two milestones: milestone one aims to develop and adopt the standard for the publication of information as open data. The first version of this standard was due to be decided upon in 2017.

Milestone two aims to implement the standard in all Dutch municipalities in June 2018. Overall, the specificity of this commitment is medium.

This commitment meets the criteria for the OGP value of access to information by promoting the transparency of government decision making and publishing the relevant information as open data.

Providing and publishing information in a standardized, machine-readable format is a major step toward increasing the quality of information for citizens and reducing inconvenience. The potential impact of this commitment is moderate, however, since the VNG, the leading institution, is not in a position to enforce the implementation of the standard in all Dutch municipalities by June 2018.

Completion

According to the government self-assessment report, a draft standard is being discussed with suppliers of municipal council information.[1] No other information has been provided to the IRM researcher. Few milestones have been completed on time.

Being a decentralized state, the national government cannot enforce which systems or standards municipalities use. This also applies to KING and OSF, the two implementing organizations. They reported that 100 out of 388 local governments have taken an interest in the project, but there is no disclosed evidence of this yet. Another barrier to implementation is that the systems are under public procurement and therefore they cannot always be quickly replaced by the local governments. At the moment, 16 local governments have published their data on a website.[2] These data are in open format. Some suppliers of information systems are cooperating with the project, while others are not (yet).[3]

Next Steps

The IRM researcher recommends that the focus of this commitment be altered in the next action plan. Rather than expanding the quantity of data, which the VNG cannot legally enforce, the government should instead consider actions that can be taken to improve the quality of data.

Survey respondents have stated that they are unable to find data, and that there is a lack of information on the topic. To address these problems, the government should consider developing user-friendly apps or tools that can be used by council members, experts, and the general public for accessing published data (such as data on the 2018 council elections). Additionally, information should be disclosed as soon as possible, so that people can follow and influence the decision-making process as soon as it begins.

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[1] Midterm self-assessment report, opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.
[2] Open Council information, depilotstarter.vng.nl/sturen-op-resultaten/toepassing-open-raadsinformatie.
[3] openraadsinformatie.nl.

7. Develop the skills of public sector staff

Commitment Text:

Title: The public officer as professional within the civil society

The government is expected to 'work and learn alongside the people'. The civil society partners have called for greater investment in the public sector staff, and specifically in the development of the skills they need to interact effectively with today's network society. The Ministry of Infrastructure and the Environment continues to pursue the ambitions set out in the former action plan and is devoting considerable attention to developing the skills of staff and managers. All activities focus on the attitudes and behavior needed to perform effectively within today's network society.

Milestones:

1. *Professionalisation course "The Art of Connecting": in 2018, all policy staff within the Ministry of Infrastructure and the Environment will have attended a professionalisation course*

2. *Work processes: By the end of 2017, all work processes will have been adapted.*

3. *Approach Strengthening Professional Skills: in 2017 the Approach Strengthening Professional Skills will start.*

4. *Communities of Practice: staff who have followed the professionalisation course "The Art of Connecting", will come together in a peer review setting and, based on actual case studies, exchange experiences of acting in the different roles.*

5. *Management professionalisation: by the end of 2017, all managers within Ministry of Infrastructure and the Environment will have received training in interaction with their networking staff.*

6. *Providing input for formulating ambitions for the public sector as a whole.*

Responsible institution: Ministry of Infrastructure and the Environment

Supporting institution(s): The Ministry of Interior and Kingdom relations, the civil society

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
7. Develop skills of public sector staff		✔				✔				✔			Yes		✔		

Context and Objectives

The action plan states that the government must actively involve citizens and work alongside social partners in the development and implementation of policy.[1] This is not always the case in policymaking. The civil society partners have called for greater investment in public sector staff, and specifically in the development of the skills they need to interact effectively with today's networked

society. The main objective of this commitment is professionalizing public officers to interact with civil society. The six milestones outline the specific course, activities, community of practice and general training of staff. This commitment's overall specificity is low, because the commitment text does not clearly identify what type of training will be included in the professionalization courses listed, nor does it explain how these courses will open up dialogue between government and civil society.

Although vaguely formulated, this commitment is relevant to civic participation since it aims to improve the skills and management of government staff that could enable participation. The commitment's scope is limited, since it covers the training of staff within the Ministry of Infrastructure and the Environment. A more transformative commitment would clearly describe the goal of stated training sessions and cover staff in all relevant public sectors that work with civil society.

Completion
According to the government self-assessment report[2], six out of 11 tranches (groups) of civil servants participated in the course "The Art of Connecting" (milestone 1) by June 2017. Though the project manager said that an attendance list was made, there are no clear numbers or percentages to verify the completion as stated by the government. The self-assessment report states that in the second half of 2017, the work process (milestone 2) in some 10-15 policy files will be adapted. There is no information on the progress on the third milestone. In 2016 and 2017, two Communities of Practice (milestone 4) were held. The report on milestones five is unclear. As for milestone six, an "Energetic Civil Servant" workshop was held during the 'How Open! Festival' on 12 December 2016.[3] The project leader told the IRM researcher that there are no (publicly available) records on any of the milestones.

Next Steps
If taken forward into the next action plan, the government needs to reformulate the commitment to clearly communicate the topics and goals of the training sessions and describe how these activities would enable greater civic participation. Additionally, as one CSO pointed out in the focus group, the commitment should also address the risk that informal and confidential decision making may lead to less public accountability.

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[1] National action plan, https://www.opengovpartnership.org/documents/netherlands-2016-2018-national-action-plan.
[2] Midterm self- assessment report, opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.
[3] How Open Festival workshop, open-overheid.nl/programma-hoe-open-festival/#rdv-calendar.

8. Informal approach to freedom of information requests

Commitment Text:

The Public Adminstration Act (Wet Openbaarheid van Bestuur) entitles a 'stakeholder' (usually a member of the public) to submit an application requesting certain information. In many instances, a request for information leads to unnecessary bureaucracy and can seriously strain the relationship between the applicant and the government department concerned. Such problems can be prevented by adopting an informal, personal approach. This approach has been applied in practice as part of the 'Pleasant contact with the government' programme and has been shown to result in decisions of better quality, fewer objections and appeals, more efficient processes, greater public confidence and enhanced satisfaction on the part of both citizens and government officials.

Milestones:

1. *A handbook setting out the informal approach, listing interventions, process optimisations and best practices.*

2. *Assistance to public sector authorities in adopting the informal approach, by means of a pilot in one organization and at least 4 workshops for public sector authorities.*

3. *Monitoring, analysis and reporting with a view to further increasing the effectiveness of the informal approach. A report on the informal approach will be sent to the House of Representatives.*

Responsible institution: Ministry of the Interior and Kingdom Relations

Supporting institution(s): various local authorities and the Open Government Expertise Centre (LEOO)

Start date: 1 January 2016   **End date:** 30 June 2018

Editorial Note: The commitment text mistakenly refers to the Public Access to Government Information Act[1] (Dutch Freedom of Information Act) as the "Public Administration Act." This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
8. Informal approach to FoI requests		✔			✔					✔			No	✔			

Context and Objectives

This commitment was taken forward with small alterations from the first action plan (commitment 9) and is part of the Ministry of Interior and Kingdom Relations' project to introduce alternative dispute resolution techniques and to apply an informal approach when handling FoI requests. This project is run by the PCMO ('pleasant contact with government') team.

Formal FoI procedures often lead to unnecessary bureaucracy, and the costs and dissatisfaction related to the way complaints are handled has increased.[2] In response to this, the informal approach aims to offer a quick, non-legal way to handle complaints. The idea is for this response to be handled

by picking up the phone and asking citizens what type of information they are seeking and if their queries can be answered directly by the staff.[3] This may result in the withdrawal of a written complaint or FoI request after the government has given more information or after the citizen has received the documents.

While the commitment provides verifiable activities, the centerpiece of this commitment, the informal approach as described in the commitment, is unclear. It does not give any explanation as to how the method will be applied and how it will help solve FoI issues. As such, its specificity is low.

This commitment largely focuses on internal government reforms to address the procedures around providing information to citizens upon request. The commitment is relevant to the OGP value of access to information, however, the commitment's potential impact is minor due, in part, to its low specificity.

Completion

According to the government self-assessment report, the handbook was expected to be presented at the yearly conference held on 28 September 2017.[4] The IRM researcher intended to attend the conference to verify the completion of the handbook but she was told that the conference was not open to researchers and was not given access. [5] Since the handbook is not available online, the IRM researcher was unable to find out whether the handbook was produced. The pilot was carried out at the National Police, but no results have been disclosed. Similarly, no information has been given to the IRM researcher regarding the two workshops that were also held at the National Police. Though the IRM researcher has requested information, the Ministry of the Interior and Kingdom Relations has not provided any evidence. The self-assessment states that the report on the implementation of the informal approach has been completed and will be sent to the House of Representatives. However, the report has not been made publicly available.

The IRM researcher was unable to find evidence of completion other than the government's self-assessment report, as there is no publicly available data. As such, completion has been coded as limited and not on time, although the government coded completion as substantial in the self-assessment. Although there are no early results of this commitment's implementation, independent research has reported the successes of the informal approach.[6]

Next Steps

If the commitment were carried forward to the next action plan, it should clearly communicate how it will provide greater access to information.

[1] Access to Information Act, http://www.legislationline.org/documents/action/popup/id/6395.
[2] Appendix to the 2nd national action plan, https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf.
[3] Pleasant contact approach, https://pcmo.nl/wat-waarom/wat-doen-wij-0.
[4] Midterm self-assessment report, opengovpartnership.org/sites/default/files/Netherlands_Mid-term_Self-Assessment-Report_2016-2018_EN.pdf.
[5] The PCMO website and the brochure initially stated that it was 'open to researchers'. In subsequent email conversations with the PCMO project leader, the IRM researcher was told that that the event was only open to civil servants. Later that day, the PCMO website was altered to 'open to civil servants only'.
[6] Research on informal approach, rob-rfv.nl/documenten/hoe_hoort_het_eigenlijk_passend_contact_-_webversie.pdf.

9. Support to other public sector organizations: Expertise Centre (LEOO)

Commitment Text:

The Leer- en Expertisepunt Open Overheid (Open Government Expertise Centre; LEOO) identifies relevant issues and assists public sector organizations in arriving at an appropriate response. LEOO collates and disseminates relevant knowledge and (co-) organises various meetings about Open Government. Through LEOO, the Ministry of BZK wishes to strengthen the position of all public sector organizations as they implement policy and legislation. LEOO will provide support based on three distinct functions: knowledge broker, facilitator and platform which helps to increase the visibility of Open Government activities.

Milestones:

1. *10 (2016) and 6 (2017) further knowledge instruments, such as a factsheet about the new Reuse of Government Information Act 2015 and a self-scan Open Government. All knowledge instruments are published on the website www.openoverheid.nl/*

2. *40 meetings to include one major conference attended by at least four hundred delegates, a year event Open Government (in 2017) and meetings for all lead implementing agencies.*

3. *Personal coaching processes and one-to-one meetings for managers and government staff.*

4. *5 (2016) and 4 (2017) training modules and support programmes for educational institutes.*

5. *120 additional national or international initiatives dealing with Open Government.*

6. *New interviews and other content to be published on the Open Government website every two or three weeks.*

Responsible institution: Ministry of the Interior and Kingdom Relations

Supporting institution(s): ICTU, civil society organisations, various provincial and local authorities, and other ministries

Start date: 1 January 2016 **End date:** 30 June 2018

Editorial Note: This is a truncated version of the milestone text. For the full commitment text, please see The Netherlands National Action Plan (https://www.opengovpartnership.org/sites/default/files/Netherlands_NAP-Appendix_2016-2018_EN_revised-with-changes.pdf)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
9. Support public sector organizations		✔			✔					✔			Yes			✔	

Context and Objectives

Governments of all levels have questions and issues related to open government and how to implement more transparency and accountability in their organization. The Open Government Expertise Centre (Leer- en Expertisepunt Open Overheid, LEOO) identifies relevant issues in the field of open government and assists public sector organizations to deal with these issues. The main

goal of LEOO is to support lead agencies in the action plan and other public sector organizations by brokering information, advising, and increasing the visibility of open government activities.

This commitment lists six milestones: develop knowledge instruments with local authorities and/or other partners; host meetings, a major conference and yearly event; establish personal coaching processes; support programs interested in open government; include national and international open government initiatives; and publish content on the open government website.

It is not clear what the government means by 'self-scan.' Additionally, with the exception of the first milestone, the commitment text identifies deliverables but does not provide specifics on the focus or topic for many of these activities. It is not clear what area these initiatives would be in. As such, the overall specificity for this commitment is low.

Due to the low specificity of the commitment text, and the largely internal focus of these milestones, the potential impact is assessed as minor. Although the commitment lists several deliverables, the text does not indicate what change in government practice will take place.

Completion
This commitment has been substantially completed and is on time. Milestone one is nearly completed: 10 knowledge instruments were published in 2016 and four (out of the anticipated six) were published by July 2017. Only the self-scan has not been disclosed yet. All knowledge instruments are published on open-overheid.nl, and specific links are located in the government self-assessment. The second milestone is fully complete: in 2016 the How Open? Festival was organized in Tivoli Vredenburg. Also, a meeting was held to kick off the implementation of the action plan.[1] In 2017, lead institutions participated in a meeting at the Ministry of the Interior and Kingdom Relations.[2] The number of meetings exceeds the numbers mentioned in the milestones by far, and links can be found in the self-assessment report. The researcher received an anonymized spreadsheet of 229 meetings with a large variety of organizations, from ministries, provinces and municipalities to universities and foreign parties, including dates and topics. The same spreadsheet also includes one-on-one meetings, so milestone three is assessed as completed. Some of them can be found online as well.[3] Milestone four is under way: LEOO has participated in learning networks on municipalities and open data and natural gas-free city districts.[4] Milestones five and six are also fully complete. More than 350 initiatives were put on the Open Map.[5] LEOO published 80 articles on open-overheid.nl/actueel, including an article about political parties that included open government topics in their general election programs in 2017 and SODA.

Apart from the milestones, LEOO has organized many other activities, such as hackathons and meetings. It has also published many documents. The lead institution's manager told the IRM researcher that LEOO will, unlike last time, play an important and active role in the preparation of the next action plan.

Next Steps
Moving forward, LEOO should continue to assist public sector organizations in implementing OGP activities, but it does not need to be included as a separate commitment. OGP commitments should be specific and ambitiously set out to change government practice.

In the next action plan, the IRM researcher recommends the government take action to raise the profile of open government as a policy field and increase the political and top-level engagement.

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[1] Implementation meeting for the action plan, open-overheid.nl/open-overheid/5922.
[2] Meeting with the Ministry, open-overheid.nl/open-overheid/open-overheid-moet-echt-in-de-vingers-gaan-zitten.
[3] Completed milestones, open-overheid.nl/geen-categorie/10-x-tijd-open-overheid.
[4] Learning networks, kl.nl/projecten/gemeentelijk-leernetwerk-open-data, kl.nl/projecten/open-overheid-de-praktijk-aardgasvrije- wijken, open-overheid.nl/open-overheid/we-hebben-iedereen-nodig, https://twitter.com/stadsLAB_Saxion/status/862236764592668672; https://twitter.com/Palinuro/status/866998174560526336; Challenging Government, https://www.youtube.com/watch?v=Ingrp7DblAU.
[5] Network Map, open-overheid.nl/netwerk/netwerkkaart.

V. General Recommendations

The second action plan did not include several stakeholder priorities, such as the new FoI Act and beneficial ownership registers. In the next action plan, the government needs to develop a multi-stakeholder forum and include ambitious commitments that address civic participation and integrity issues.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

Many of the topics mentioned in the Coalition's Manifesto, such as the swift passage of the new FoI Act and increasing lobby and ultimate beneficial ownership (UBO) transparency, have not been adopted in the action plan. Furthermore, the exclusion of these CSO priorities was not given any further explanation. The CSO representatives criticized the large number of pilots and non-binding commitments. In general, survey respondents find that the action plan lacks ambition.

For the next action plan, CSOs recommend a shift from open data commitments to user-friendly applications for open data. The pilots should be expanded to complete nationwide rollouts. In the survey, passing the new FoI Act and the introduction of integrity measures, such as an efficient implementation of the House for Whistleblowers Act, score as most important. These topics are followed by privacy and open registers, that are also important instruments to fight tax evasion/avoidance and enhance financial sector integrity and compliance.[1]

Bodies of government that are not part of the OGP process but should be included, according to the survey, are large agencies that directly affect citizens, such as the Tax Authority and the Employee Insurance Agency (UWV), Parliament and judiciary. Furthermore, people ask for more extensive civic participation programs, inclusiveness and more active disclosure of important information, which will be compulsory under the new FoI Act. The CSOs find that the action plan and the Ministry of the Interior and Kingdom Relations should be more closely linked to OGP and its values. It needs more resources and top management support to achieve this goal.

All interviewed experts, CSOs and survey respondents believe that addressing recent integrity issues and responsive governance are most vital for open government that is effective and trusted.

5.2 IRM Recommendations

The following section recommends crosscutting, general next steps for OGP in the Netherlands.

Improve institutional and CSO participation in the OGP process

As stated in Section III of this report, the Netherlands has not developed a multi-stakeholder forum and the overall consultation process during action plan development and implementation does not provide enough opportunity for public influence. As a result, the wishes of stakeholders that represent the citizen's view on government have only partly been taken into account in the action plan. This has resulted in a second action plan with a narrow scope that is not known or supported by the general public. Both the topics (FoI, open registers, integrity or other open attitude related issues) and the scope (agencies, Parliament, judiciary) of the action plan need serious reconsideration. The next action plan should set a strategic goal to raise its International Association for Public Participation (IAP2) level from 'inform' and 'consult' to 'involve' and 'collaborate.'

In addition to developing a multi-stakeholder forum that meets the standards in the OGP Handbook,[2] the government should include CSOs that have a form of representation or public support, that are not hired by the government to work on a commission basis, and that meet the OECD's definition of a civil society organization.[3]

Additionally, the government should consider the following when developing the next action plan:

- Include all four OGP values in the commitments according to the priorities given by the experts, CSOs and stakeholders in this mid-term report;

- Make all commitments and milestones SMART and follow the commitments text while implementing them; and

- Explain, if topics mentioned by the stakeholders are not included, why they are not adopted in the action plan.

In the next action plan, the government should also include large agencies, Parliament and judiciary in the OGP process. More than 60 percent of the survey respondents mention that Parliament should participate in the next action plan. Survey respondents and CSOs have also asked for involvement of other government agencies, as well as the legislative and judiciary bodies in the action plan. The Tax Office is recommended to introduce a commitment on opening up undisclosed tax rulings. Parliament is recommended to introduce a complete lobby register and extend the current legislative document website. The government should also consider expanding participation in the action plan to other bodies of the state that are important to the Rule of Law, such as the Justice system, including police, prosecution office and judiciary.[4]

Expand pilots to more ambitious, nation-wide rollouts

The majority of commitments in this action plan lack ambition. Of the nine commitments, five are specifically designated as pilot projects. This affects the commitment's scope and, consequently, its potential impact. Stakeholders have also expressed the need for a complete, nationwide rollout of the current pilot projects in the active publication of information on open spending, the publication of information in standardized, machine-readable format, and the informal approach to FoI requests.

Include legally binding commitments on disclosing information

In accordance with interviewed experts, CSOs and the many publications on the issue, the government should respond to the call for a new Freedom of Information Act that focuses on compulsory publication of government information instead of the right to apply for information and to dispute the right to information in court.

In the first year of the OGP implementation period, the deadline for the Netherlands to implement the Fourth Anti-Money Laundering Directive (2015/849/EU) has passed. The Directive would introduce a register containing information about the ultimate beneficial owner (UBO) of all companies and other legal entities in order to prevent the use of the Dutch financial system for the purposes of money laundering or terrorist financing. Along with the CSO involved, the IRM researcher recommends the government include a commitment to ensure a draft bill is submitted to the Dutch parliament and subsequently implemented in a two-year timeframe. Additionally, the IRM researcher recommends the UBO register be publicly available, even though this is not required by the Directive.

Include civic participation commitments in the next action plan

In the current action plan, civic participation is indirectly covered by ROUTE-TO-PA and the Public officer in the network society. The IRM researcher recommends developing commitments based on projects mentioned in the recent Ministry of Infrastructure report "Samenspel van een moderne overheid met de energieke samenleving" ('Teamwork of a modern government with the energetic society'), such as the "Green Deal", that stimulates social initiatives that have resulted in the increase in textile recycling, and "Beat the microbead", an initiative that aims to ban microplastics from cosmetics.[5]

Improve the performance of the "House for Whistleblowers"

In 2016 the Whistleblower Act established a public body, known as the "House for Whistleblowers," tasked with providing advice and investigating reports of integrity violations. Due to internal problems, the board resigned and the "House" has not finalized any research, despite having received hundreds of reports. The government should include a commitment to improve the performance of

the "House for Whistleblowers" and specify a minimum number of investigative reports to be produced.

Table 5.1: Five Key Recommendations

1	Improve institutional and CSO participation in the OGP process
2	Include large agencies, Parliament and judiciary in the OGP process
3	Include legally binding commitments on disclosing information
4	Include civic participation commitments
5	Improve the performance of the "House for Whistleblowers"

1 Survey, appendix.
2 Designing and Managing an OGP Multi-stakeholder forum, opengovpartnership.org/sites/default/files/Multistakeholder%20Forum%20Handbook.pdf.
3 OECD Glossary of Statistical Terms, stats.oecd.org/glossary/detail.asp?ID=7231.
4 fd.nl/frontpage/Print/krant/Pagina/Economie___Politiek/620469/bijbanenregister-rechters-nog-vol-hiaten.
5 Energieke samenleving policy paper, platformparticipatie.nl/Images/Energieke%20samenleving_tcm318-351648.pdf.

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.

2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)

3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.

4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.[1]

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the "usual suspects" list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

The researcher interviewed three experts in the field.[2] This provided much background information and concrete comments on the current action plan. On 14 September 2017, a meeting was held with three of the CSOs involved (Instituut voor Maatschappelijke Innovatie (IMI), Transparency International and NetwerkDemocratie). All members of the Coalition for Open Government were invited, but most of them had other priorities. In the meeting agenda there was room for general comments on the current action plan, extensive deliberation on the commitments and recommendations for the next action plan.

On several occasions, the researcher met the point of contact and LEOO, since she was invited to attend the Lead Institutions meetings. There has also been a lot of contact via email, including

providing answers to the researcher's concrete questions. On 19 September 2017, the researcher met the point of contact in the ministry, who provided more information on the background of the action plan. The lead institutions were all invited to join a telephone meeting, after they were provided with a list of questions on their commitments. All but one (ROUTE-TO-PA) of the institutions responded. All but one (Informal approach to FoI requests) provided information.

Survey-Based data (optional)

During August and September 2017, the researcher held an online survey. There were 153 respondents. Though this is not a very large number, the open comments and answers to general questions (not about specific commitments) were enlightening since they came from a wide variety of respondents and support comments given by the CSO and expert stakeholders. The results of the survey can be found online.[3]

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Juanita Oalaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

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[1] IRM Procedures Manual, V.3, https://www.opengovpartnership.org/documents/irm-procedures-manual.
[2] Dr. C.J. Wolswinkel, Prof. J.M. Barendrecht and Prof. W.J.M. Voermans.
[3] Public Survey results, researchgate.net/project/Netherlands-Open-Government-Action-Plan/update/5ab38c3e4cde266d58931735.

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.[1] When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for the Netherlands

Criteria	2011	Current	Change	Explanation
Budget Transparency[2]	ND	ND	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information[3]	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration[4]	3	4	Change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	4 (10.00)[5]	4 (10.00)[6]	No change	*EIU Citizen Engagement Index* raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	11/12 (92%)	12/12 (100%)	Change	75% of possible points to be eligible

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[1] For more information, see http://www.opengovpartnership.org/how-it-works/eligibility-criteria.

[2] For more information, see Table 1 in http://internationalbudget.org/what-we-do/open-budget-survey/. For up-to-date assessments, see http://www.obstracker.org/.

[3] The two databases used are Constitutional Provisions at http://www.right2info.org/constitutional-protections and Laws and draft laws at http://www.right2info.org/access-to-information-laws.

[4] Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), http://bit.ly/19nDEfK; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in Government at a Glance 2009, (OECD, 2009), http://bit.ly/13vGtqS; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), http://bit.ly/1cIokyf. For more recent information, see http://publicofficialsfinancialdisclosure.worldbank.org. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at http://bit.ly/1EjLJ4Y.

[5] "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), http://bit.ly/eLC1rE.

[6] "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), http://bit.ly/18kEzCt.