

Open
Government
Partnership



ADVANCING OPEN GOVERNMENT AND EVALUATING ITS IMPACT

Research papers by the winners of the OGP IDRC research grant



In August 2015, we launched a call for proposals for research on OGP, with six mini-grants for the taking for ideas with the potential to inform the work of the Open Government Partnership. The rules were simple: the proposed research needed to shed light on cross-thematic or cross-country trends within OGP, explore correlations between progress on OGP and other development indicators, or provide new ways of thinking about how we can evaluate impact. Our main objective was to get the community mobilised to work on topics that had not been explored previously, using the wealth of OGP data that is now available, including the National Action Plans, IRM data and the OGP Explorer. The following authors were awarded the grants:

- Daniel Berliner from Arizona State University for his paper on ‘Ambitions and Realities in OGP Commitments: Analysis of Commitment Completion Across Countries using Hierarchical Models.’
- Rafael E. Valenzuela from Universidad Autónoma de Ciudad Juárez and J. Ignacio Criado and Edgar Ruvalcaba from Universidad Autónoma de Madrid for their paper on ‘Measuring the Impact of the Open Government Partnership in Member States using an Implementation Size Model.’
- Sandra Elena from CIPPEC for her paper on ‘Promoting Open Justice: Assessment of Justice-Related Commitments in OGP National Action Plans.’
- Adegboyega Ojo, Niall Ó Brolcháin, Edobor Osagie and Lukasz Porwol from the Insight Centre for Data Analytics, National University of Ireland Galway for their paper on ‘How can Open Government Partnership members bridge the “Commitment-Indicator” Gap for greater Return on Investment?’
- Vinay Bhargava and Sarah Little from the Partnership for Transparency Fund for their paper on ‘Open Government Partnership and Sustainable Development Goal Number 16: Similarities and Differences.’
- Vitus Azeem from the Ghana Integrity Initiative for his paper on ‘A Comparative Study of the OGP National Action Plans of Participating African countries.’

The first three papers, adjudged as the best entries by a jury comprising of Jose Hernández Bonivento from GIGGAP, Fernando Perini from the International Development Research Centre, Munyema Hasan and Shreya Basu from the OGP Support Unit, are presented here. The remaining papers are available for download on from the case studies section on our website: <http://www.opengovpartnership.org/topics>



AMBITION AND REALITIES IN OGP COMMITMENTS: ANALYSIS OF COMMITMENT COMPLETION ACROSS COUNTRIES USING HIERARCHIAL MODELS

Daniel Berliner¹

INTRODUCTION

The Open Government Partnership (OGP) has 66 member countries around the world, with over 2,000 commitments made and countless citizens and civil society members involved. Learning from past experiences is essential to moving the OGP forward and helping to better craft and implement commitments. The first round of Independent Reporting Mechanism (IRM) reports has shown that, while some countries complete most of their commitments, others do not. Many commitments have seen only limited progress, or even none at all. This study seeks to answer the question: Why are some commitments more likely to be completed than others?

Answering this question requires incorporating both country-level and commitment-level information. Because different countries have different “portfolios” of commitments – greater or fewer in number, more or less ambitious, relevant, or specific, and in different issue areas – aggregated country-level completion rates will be misleading indicators, and risk generating inappropriate recommendations. This study uses hierarchical models for multilevel data in order to simultaneously combine commitment-level and country-level information. It combines data from the OGP Explorer, on the 33 second-cohort countries covered with adequate data by the first round of IRM reports,² with other country-level data on factors such as democratic institutions and economic development, as well as factors associated with the OGP process itself.

There are three key findings of this study. First, at the commitment level, commitments with greater potential impact are less likely to be completed, while commitments with greater specificity are more likely to be completed. Second, at the country level, countries with more democratic institutions and less corruption tend to complete more of their commitments, whereas factors internal to the OGP process like public consultation, civil society network, or the total number of commitments show no clear relationship with completion. This finding highlights the importance of external factors like institutional context, and the challenges facing OGP implementation in countries where those institutions are not relatively “open” already.

¹ Assistant Professor at the School of Politics and Global Studies, Arizona State University. Email: danberliner@gmail.com

² Cohort 1 countries were not evaluated on the same breadth of detailed indicators as Cohort 2 countries. Two cohort 2 countries – Honduras and Kenya, were also not evaluated on several indicators, and so have not been included here.

Third, the previously mentioned commitment-level effects for potential impact and specificity are not identical in every country – rather they vary from country to country. The “impact gap,” whereby higher-potential-impact commitments are less likely to be completed, is mitigated in countries with larger OGP civil society networks. The “specificity boost,” whereby more specific commitments are more likely to be completed, is only present in middle-income and high-income countries, whereas specificity appears to offer no advantage in low-income countries.

The findings of this study also produce new, adjusted rankings of country progress in implementing their OGP commitments. In sum, this study offers new insights into which types of commitments, in which national contexts, are more likely to be completed. As such, these results can help the OGP community better understand how open government ambitions are translated into reality.

DATA AND SOURCES

This paper is primarily concerned with the actual completion of the commitments countries make in their National Action Plans. It uses data from the OGP Explorer based on researcher assessments of the extent to which each commitment had been completed by the time of the IRM reports. These commitments were coded as one of “complete,” “substantial,” “limited,” “not started,” “withdrawn,” or “unclear.” However, rather than restricting attention only to full completion, in this study I also allow for commitments to be substantially but not entirely completed. The outcome variable of all analyses that follow is thus “Completion,” which takes values of 1 for commitments coded as “complete” or “substantial” by IRM researchers, and takes values of 0 for all others.

This paper focuses on numerous commitment-level factors that might contribute – in positive or negative ways – to completion. These are drawn from data contained in the OGP Explorer for the second cohort of OGP member countries, based on the results of IRM reports conducted by independent researchers.

These commitment level variables are:

- Potential Impact
- Newness
- Specificity
- Relevance
- Values: Access to Information
- Values: Civic Participation
- Values: Public Accountability
- Values: Technology and Innovation

This paper also examines several country-level factors that might either make countries more or less likely to complete their commitments, or alternately might make individual commitment-level factors more or less important in different contexts. These country-level factors include three that are exogenous to the OGP process, and three that are endogenous to that process.

Country-level factors exogenous to the OGP process:

- Democratic Institutions (measured as sum of Freedom House measures of Political Rights and Civil Liberties)
- Economic Development (logged GDP per capita)
- Corruption (Transparency International's Corruption Perceptions Index, rescaled from 0 to 1 and with higher values reflecting less corruption)

Country-level factors endogenous to the OGP process:

- Public Consultation Index: The sum of the ten variables coded by IRM researchers on the level of public consultation in preparing countries' National Action Plans, and in implementation.
- Civil Society Network: The (logged) number of civil society actors in each country registered on the OGP Civil Society Hub website.
- Total Number of Commitments: The (logged) total number of commitments made by each country.

METHOD

This study uses hierarchical modeling (also frequently called multilevel modeling) approaches to study the commitment-level and country-level factors that help explain which commitments are actually completed. Hierarchical modeling is a statistical regression method for analysis of data at multiple levels of analysis (Gelman and Hill 2006) – in this case the commitment level and the country level. For example, this method has often been used to study the performance of students on standardized tests – a context where both student-level characteristics (such as gender, race, and socio-economic status) and classroom-level characteristics (such as classroom size and teacher experience) are relevant. Hierarchical modeling is a more flexible alternative to more limited approaches, such as ignoring the higher level of analysis (e.g. classroom or country) altogether, or averaging individuals in each higher-level group together, thereby ignoring potentially important differences in context.

Hierarchical models are a type of statistical regression analysis that have two main features: First, they take into account the grouped nature of the data, avoiding the “standard” regression assumption that observations are independent of each other. In this case, two commitments made by the same country cannot be assumed independent, as they share many common institutional and contextual features.

This is accomplished by allowing for varying “intercept” terms for observations from each group in the data. These are called “random effects” because while they reflect unaccounted-for variation at the group level, they are modeled as drawn from a normal distribution centered on the overall “average” intercept across the entire data.

Second, hierarchical models allow researchers a flexible way to investigate the effects both of factors at multiple levels of analysis, and of cross-level interactions. This is accomplished by allowing the researcher to specify coefficients – the effects of individual variables – as varying across groups. These varying coefficients can further be modeled as functions of group-level characteristics. As will be seen subsequently in this paper, I use this flexibility to investigate how commitment-level relationships (such as the relationship between the potential impact of a commitment and its probability of actually being completed) might vary from country to country in ways that can be explained by country-level factors.

EVALUATING NATIONAL COMPLETION RATES

Some previous approaches to analyzing countries’ progress in implementing their OGP commitments (for example the Independent Reporting Mechanism’s Technical Paper 1) have relied on country-level completion rates: the proportion of each country’s commitments that were completed. However, this is a potentially misleading indicator. Consider two countries that both completed half of their commitments, and so would appear to have made identical implementation progress. However, the first country’s commitments were mostly comprised of already-existing policy goals, or were low-impact, vague, or not relevant to the OGPs mission – what the IRM Technical Paper 1 refers to as “filler” commitments. The second country’s commitments, however, were mostly new policy goals, potentially high-impact, highly specific, and relevant to the OGP mission. Should these two countries’ equal completion rates be judged as truly identical?

As this example makes clear, the composition of National Action Plans should matter for how we assess countries’ progress towards implementing those plans. This paper proposes one method to produce adjusted measures of country progress, by taking into account the characteristics of the individual commitments made by each country.

I use a hierarchical logistic regression to model commitment completion across 782 commitments in 33 countries, as a function of each commitment’s potential impact, newness, specificity, relevance, and values. This model also allows for each country’s data points to have their own unique intercept term, with these so-called “random effects” modeled as drawn from a normal distribution. These country random effects represent, in effect, the remaining country-level variation in completion rates after taking into account the aforementioned commitment-level variables. As such, these country random effects give us an adjusted measure of countries’ progress.

Table I presents the results of this model for the commitment-level independent variables. The results show that commitments with greater potential impact are significantly less likely to be completed. New, as opposed to pre-existing, commitments are also significantly less likely to be completed. More specific commitments, on the other hand, are significantly more likely to be completed. Relevance has no statistically significant effect on completion. For the four values, only Access to Information has a statistically significant effect, with commitments pertaining to this value being more likely to be completed. The procedure here thus takes these effects into account in producing an adjusted measure of country progress, effectively giving countries more “credit” for commitments that these results indicate were less likely to have been completed, and giving them less for commitments that were more likely to be completed.

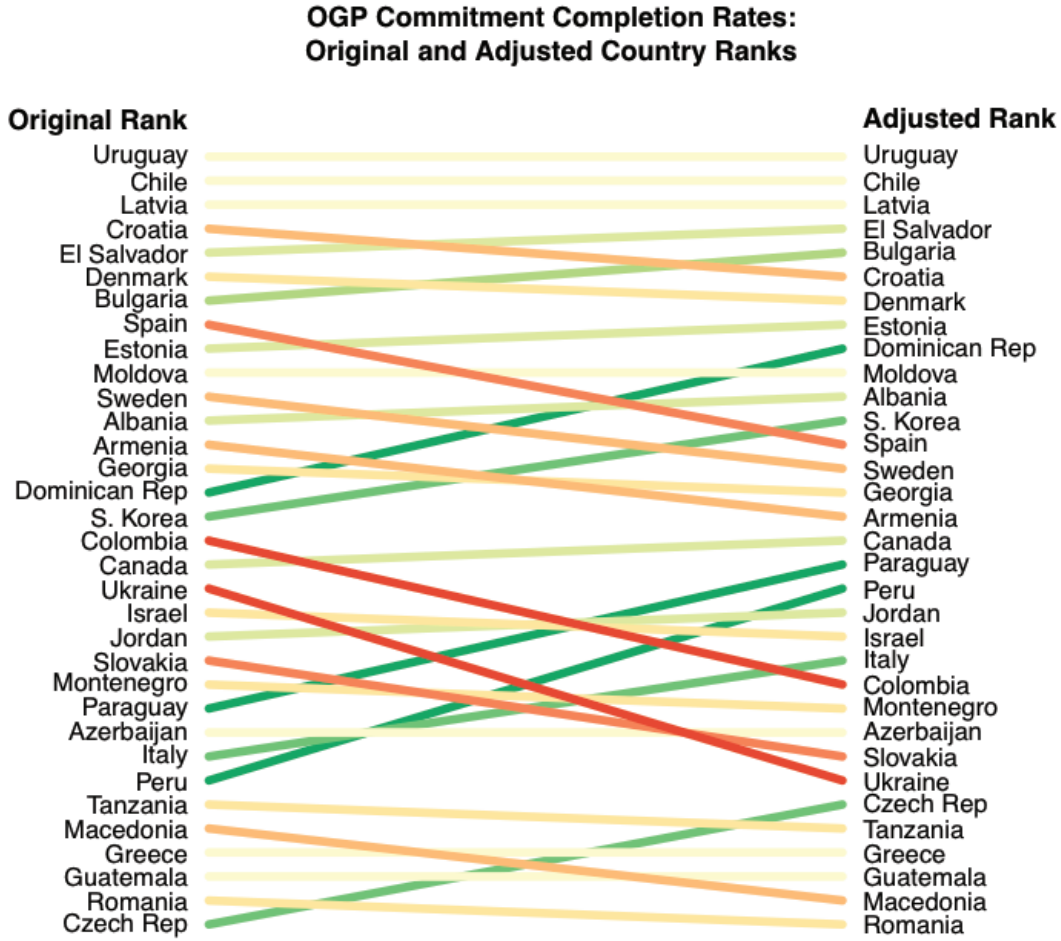
Table I. Hierarchical logistic regression model results for commitment-level determinants of completion. Standard errors in parentheses. Intercept term not displayed to save space.

	Model 1
Potential Impact	-0.168* (0.101)
Newness	-0.332* (0.182)
Specificity	0.534*** (0.112)
Relevance	-0.423 (0.306)
Values: Access to Information	0.491** (0.216)
Values: Civic Participation	0.123 (0.206)
Values: Public Accountability	0.253 (0.192)
Values: Technology and Innovation	0.101 (0.198)
AIC	1024.977
Num. obs.	782
Num. groups: country	33

*** p < 0.01, ** p < 0.05, * p < 0.1

Figure I compares the adjusted country-level measures that result from this procedure with unadjusted national averages. In this figure, the first column lists each of the 33 countries in order of their rank by basic average rate of commitment completion. The second column, however, lists countries in order of their random effects from the hierarchical model – with the first countries having the highest adjusted scores, and the last countries having the lowest adjusted scores. The lines connecting each country’s position in the two columns are colored to show their change in relative position.

Figure 1. Comparison of original country ranks, by average rate of commitment completion, and adjusted ranks based on country-specific random effects from results of Model 1 in Table 1. Lines connecting each country's positions are colored to reflect the extent of increase (green) or decrease (red) in ranking.



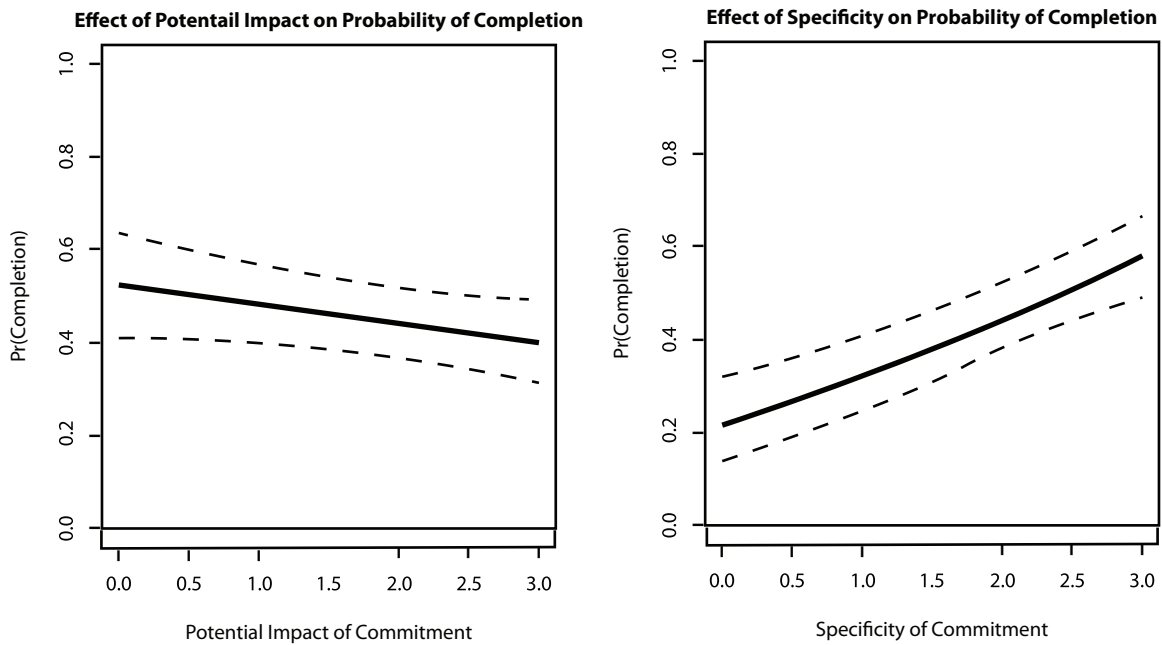
Green lines reflect countries for which the adjusted measure reflects better performance than the original measure, such as the Dominican Republic, Paraguay, Peru, and South Korea. For these countries, basic average completion rates do not reflect the extent to which their commitments were harder-to-complete on average than those of other countries. Red lines reflect countries for which the adjusted measure reflects worse performance than the original measure, such as Colombia, Slovakia, Spain, and Ukraine. For these countries, basic average completion rates give an overly positive impression, and do not reflect the extent to which their commitments were easier-to-complete on average. Interestingly, the top three positions in terms of country performance remain identical under both measures: Uruguay, Chile, and Latvia.

FROM AMBITION TO REALITY: COMMITMENT-LEVEL FACTORS

As discussed in the section above, the model presented in Table I included commitment-level factors that might potentially explain which commitments tend to be completed, and which do not, while also allowing for individual random effects to capture country-to-country differences in average completion rates. This section discusses those results in greater detail.

Figure 2 presents a substantive interpretation of the results for two key commitment-level variables: Potential Impact and Specificity. Each panel in this figure is based on ten thousand simulations from the results of Model I in Table I, based on a hypothetical “average” commitment (in an “average” country) but varying the value of the Potential Impact variable (in the first panel) or the Specificity variable (in the second panel). The y-axis in each plot shows the predicted probability of the hypothetical commitment being completed. The bold line thus shows the relationship between the variable on the x-axis and the probability of completion, while the dashed lines show 95 percent confidence intervals to capture the uncertainty of the model for that relationship.

Figure 2. Substantive simulated effects of Potential Impact and Specificity for hypothetical average commitments.



Thus, as Potential Impact increases from the lowest to highest values coded by IRM researchers, the predicted probability of this otherwise-average commitment being completed declines from 0.525 to 0.399. While this is a modest reduction, it is statistically significant. On the other hand, as Specificity increases from the lowest to highest values, the predicted probability of completion increases from 0.222 to 0.578 – a substantial increase.

These results for Potential Impact lend themselves to the pessimistic conclusion that countries are less likely to complete their more ambitious commitments, and more likely to complete their less ambitious ones. I call this effect the “Impact Gap,” and return to examine it in greater detail later in this paper. Notably, the IRM Technical Paper 1, using only country-level average data, did not see any meaningful relationship between Potential Impact and Completion. Using more fine-grained information on individual commitments, however, reveals this negative relationship.

The results also show that more Specific commitments are substantially more likely to be completed than less Specific commitments. This finding can be interpreted in either optimistic or pessimistic ways. Optimistically, it indicates that countries really do follow through on their detailed policy commitments, and only falter when it comes to goals that are more vague. More pessimistically, it might indicate that much of the progress made by countries is coming in the form of “bite-sized” commitments that might be less meaningful in practice than others. I call this effect the “Specificity Boost,” and return to it later in this paper.

The results additionally show that new commitments are less likely to be completed than those that IRM researchers coded as pre-existing, and that commitments coded as reflecting the Access to Information values of the OGP are more likely to be completed than those that do not. No other values, however, are significantly related to completion.

FROM AMBITION TO REALITY: COUNTRY-LEVEL FACTORS

The previously discussed results examined only commitment-level factors that help explain which commitments tend to be completed and which do not. However, one of the primary benefits of the multi-level modeling approach is the ability to simultaneously take into account both commitment-level and country-level factors. The model results presented in **Table 2** (in the Appendix) bring in country-level factors, three that are exogenous to the OGP process and three that are endogenous. Each model adds one of these new variables, to avoid multicollinearity at the country level, while still accounting for the previously discussed commitment-level factors.

The results show that only two country-level factors are significantly associated with the completion of OGP commitments, both of them exogenous factors to the OGP process. Commitments made in countries with more Democratic Institutions are more likely to be completed, as are commitments made in countries with higher values on Transparency International's Corruption Perceptions Index – that is, with less corruption. Both of these findings lend themselves to similar conclusions: It is in countries that are already more open and have better governance where OGP commitments are most likely to be completed. On the other hand, in less democratic and more corrupt countries, where the OGP might potentially be able to have a greater impact in making government more open, commitments are less likely to be completed.

It is also noteworthy that no statistically significant effects are found for the three factors that are endogenous to the OGP process – the consultativeness of the National Action Plan drafting and implementation processes, the number of OGP Civil Society Hub actors present in a country, and the total number of commitments made. These results suggest that it is structural factors of national institutional contexts that prove the greater constraints on country progress, and not any potential shortcomings or choices made in the course of the process itself.

COMMITMENT IN CONTEXT

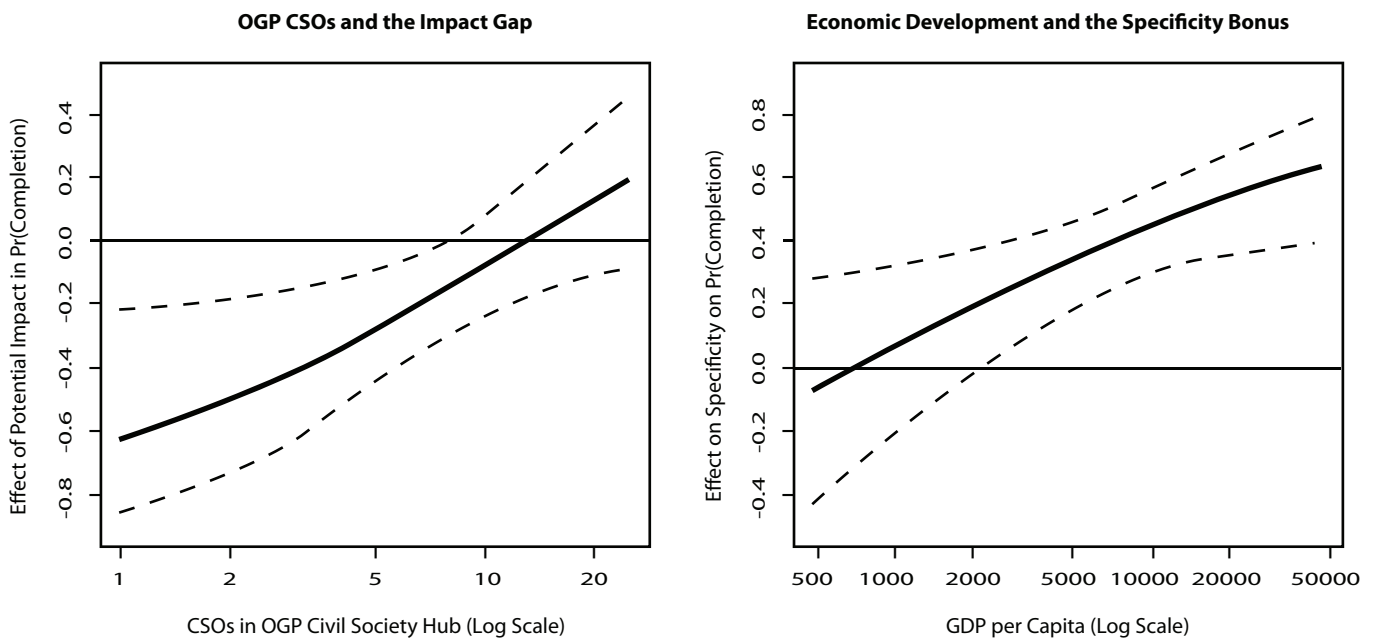
Another benefit of multi-level models is the ability to examine multi-level interactions – in this case, between country-level factors and commitment-level factors. That is, we can examine how a commitment-level relationship between two variables – such as the Potential Impact of a commitment and its likelihood of actual Completion – varies from country to country depending on features of the national context. Consider the finding discussed previously, that commitments with greater Potential Impact are less likely to be completed: This “impact gap” can be thought of as an average effect across all countries. However, within each individual country, there might be different relationships between Potential Impact and Completion. In some countries, there might be an even stronger relationship such that higher-impact commitments are far less likely to be completed, while in other countries there could even be a reverse relationship, such that higher-impact countries are more likely to be completed. Hierarchical modeling allows us to not only unpack this country-to-country variation in relationships like the impact gap, but also to assess what country-level factors might explain it.

The model results presented in **Table 3** (in the Appendix) do just this. Each model includes an interaction term between the Potential Impact variable and one country-level factor out of the six discussed previously. The results indicate that only one of these interaction effects is statistically significant: that for the OGP Civil Society Network.

Whereas the results discussed in the previous section showed no direct effect of the Civil Society Network on completion rates, these results indicate a more nuanced role. The relationship between the Potential Impact of commitments and their likelihood of completion is more positive in countries with a larger Civil Society Network, and more negative in countries with a smaller network.

The first panel of **Figure 3** illustrates this relationship graphically. Similar to the previous figure, this presents the results of ten thousand simulations of hypothetical commitments. However, in this case, the y-axis is not the direct probability of completion, but rather the difference in the predicted probability of completion between two different hypothetical scenarios: one for a commitment with low Potential Impact, and one for a commitment with high Potential Impact. That is, the y-axis reflects the extent of the Impact Gap, as it varies across national contexts with increasing numbers of OGP Civil Society Hub actors, indicated on a logarithmic scale along the x-axis. As this plot makes clear, the previously identified negative “Impact Gap” relationship turns out to obtain only among countries with small civil society networks. Among countries with larger civil society networks, the Impact Gap effectively disappears, as there is no longer any significant difference in completion rates between low-impact and high-impact commitments. This is a potentially powerful, yet nuanced finding pointing to the important role played by civil society in the OGP. While civil society may not have boosted national completion rates directly, these results indicated that they helped to prevent high potential impact commitments from being “left behind.”

Figure 3. Simulated effects of Potential Impact and Specificity in hypothetical average commitments, at varying levels of OGP Civil Society, and GDP per Capita.



On the other hand, none of the other national-level factors, whether exogenous or endogenous to the OGP process, help in explaining the country-to-country variation in the Impact Gap.

I also conduct similar analyses devoted to explaining the country-to-country variation in the “Specificity Boost” – the extent to which more specific commitments are more likely to be completed than less specific commitments. These results are presented in **Table 4** (in the Appendix). Again, the results show only one statistically significant finding, but in this case it is for Economic Development (measured as the log of national GDP per capita). The second panel in **Figure 3** illustrates this finding in the same manner as for Potential Impact, except that in this case the y-axis of the plot indicates the extent of the Specificity Boost as it varies from country to country.

As the plot makes clear, the results show that the Specificity Boost obtains only in middle-income and wealthier countries, whereas in low-income countries there is no significant relationship between specificity and completion rates. This could either suggest that low-income countries face equally great challenges in completing specific and vague commitments, or that low-income countries actually out-perform high-income countries in completing their less specific commitments. Importantly, however, this finding helps to tailor potential policy prescriptions: Efforts to encourage greater specificity of commitments might be best devoted to middle and high income countries, as those are where specificity has had the greatest impact in contributing to higher completion rates.

One potential concern regarding the Specificity Boost might be that this relationship is spurious. Perhaps countries with more professionalized bureaucracies tend to make more specific commitments, and are more likely to complete them. However, the results presented in this paper suggest that this is not the case. **Table 2** (in the Appendix) features models including both commitment-level Specificity, and two different country-level factors that are related to bureaucratic professionalization – GDP per Capita and Corruption – as wealthier countries, and less corrupt countries, are likely to have more professionalized bureaucracies. However, even when these country-level factors are included, the coefficient for Specificity remains highly statistically significant, and of almost identical value. That is, the Specificity Boost cannot be accounted for by variation in country-level GDP per Capita or Corruption. The results discussed above and presented in **Figure 3**, on the other hand, suggest that there is a more nuanced relationship between the Specificity Boost and country-level GDP per Capita. But in fact, this shows that the Specificity Boost is larger in magnitude among wealthier countries that presumably have more professionalized bureaucracies, whereas among lower-income countries there are no significant differences in completion rates between more and less specific commitments. This example helps make clear the nuanced differences between relationships within and across countries, and demonstrates the utility of hierarchical models in this regard.

CONCLUSION

An essential task in monitoring the ongoing progress of the Open Government Partnership is assessing its implementation – the extent to which countries actually follow through on the commitments they make. However, this is a particularly challenging task given that countries themselves choose which commitments to make, and commitments are widely varied in their characteristics. This study demonstrated that country-level average completion rates are a misleading indicator of country progress in implementing OGP commitments, as they neglect compositional differences by which some countries made more or less difficult commitments in the first place. A hierarchical, multi-level modeling approach helps to overcome these challenges and produce more accurate, adjusted rankings of country progress.

In addition, this study reached three main findings. First, the results point to two commitment-level factors that make completion less likely – Potential Impact and Newness – and two that make completion more likely – Specificity and matching the Access to Information value. Second, the results show that countries with more democratic institutions, and lower levels of corruption, are more likely to complete their commitments than less democratic or more corrupt countries. Other factors, such as economic development, the OGP civil society network, or the consultativeness of the National Action Plan process, play no statistically significant role in these results. Finally, the results also investigate potential multi-level interactions by which different national-level contexts shape two commitment-level relationships: the Impact Gap and the Specificity Boost. The results show that the Impact Gap is mitigated in countries with a larger OGP civil society network, while the Specificity Boost only obtains in middle-income and high-income countries. These findings help understand the nuanced role of civil society in the OGP process – at least in this first round of implementation reports – as well help potential policy recommendations avoid being “one-size-fits-all,” and rather be made more tailored to specific national contexts.

However, we must bear in mind that the sample of countries and commitments analyzed here is relatively small. Indeed, this analysis excluded all OGP Cohort 1 countries and two Cohort 2 countries, as key data were either unavailable or were not included in IRM reports and the OGP Explorer. In **Table 5** in the Appendix to this paper, I conduct a “bootstrap” test of the main results from **Table 1**, in order to gauge their potential sensitivity to changes in the composition of the sample. While this test confirms the main results of this study, it is also important to note that the analyses here covered a particular point in time, comprising the very first round of IRM reports evaluating implementation. It is possible, and even likely, that a similar analysis conducted on future rounds of IRM results would identify different results, because the OGP is explicitly intended to offer countries the opportunity to learn over time and develop better practices.

It will thus be essential for future research to seek to replicate these analyses once future rounds of IRM reports are released. It is an important question whether these same relationships identified here continue to obtain, or whether changes take place – not only in overall completion rates, but also in which types of commitments, and where, are more likely to be completed. Such changes would be important signs of learning taking place among the policy actors involved in the OGP.

References

Foti, Joseph. Independent Reporting Mechanism Technical Paper 1. Open Government Partnership.

Gelman, Andrew, and Jennifer Hill. 2006. Data analysis using regression and multilevel/hierarchical models. Cambridge University Press.

Appendix

Table 2: Hierarchical logistic regression model results for commitment-level and country-level determinants of completion. Standard errors in parentheses. Intercept term not displayed to save space.

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Potential Impact	-0.162 (0.100)	-0.160 (0.101)	-0.144 (0.101)	-0.180* (0.101)	-0.170* (0.101)	-0.170* (0.101)
Newness	-0.336* (0.180)	-0.327* (0.181)	-0.338* (0.180)	-0.304* (0.181)	-0.334* (0.182)	-0.336* (0.182)
Specificity	0.522*** (0.111)	0.532*** (0.112)	0.515*** (0.110)	0.549*** (0.113)	0.536*** (0.112)	0.533*** (0.112)
Relevance	-0.437 (0.305)	-0.433 (0.305)	-0.425 (0.304)	-0.558* (0.311)	-0.414 (0.307)	-0.430 (0.306)
Values: Access to Information	0.500** (0.216)	0.511** (0.217)	0.508** (0.215)	0.571*** (0.220)	0.484** (0.217)	0.495** (0.217)
Values: Civic Participation	0.121 (0.204)	0.128 (0.205)	0.129 (0.204)	0.165 (0.208)	0.117 (0.206)	0.122 (0.206)
Values: Public Accountability	0.274 (0.192)	0.264 (0.192)	0.279 (0.192)	0.290 (0.194)	0.252 (0.192)	0.254 (0.193)
Values: Technology and Innovation	0.064 (0.197)	0.091 (0.197)	0.075 (0.196)	0.133 (0.198)	0.099 (0.198)	0.104 (0.198)
Democratic Institutions	0.107** (0.054)					
Log GDP per Capita		0.159 (0.131)				
Corruption			2.032*** (0.769)			
Public Consultation				0.031 (0.048)		
Civil Society Network					0.085 (0.255)	
Log Total Number of Commitments						0.085 (0.310)
AIC	1023.462	1025.563	1020.692	1000.932	1026.865	1026.752
Num. obs.	782	782	782	765	782	782
Num. groups: country	33	33	33	32	33	33

***p < 0.01, ** p < 0.05, * p < 0.1

Table 2 presents the results of models of OGP commitment completion that include both commitment-level and country-level covariates.

Table 3: Hierarchical logistic regression model results for determinants of commitment completion, including interaction terms between Potential Impact and different country-level covariates. Standard errors in parentheses. Intercept term not displayed to save space.

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Potential Impact	-0.118 (0.105)	-0.159 (0.101)	-0.471 (0.269)	-0.182 (0.173)	-1.053*** (0.369)	-0.100 (0.680)
Newness	-0.305* (0.183)	-0.316* (0.182)	-0.328* (0.180)	-0.304* (0.181)	-0.286 (0.184)	-0.338* (0.182)
Specificity	0.527*** (0.112)	0.532*** (0.112)	0.517*** (0.111)	0.549*** (0.113)	0.535*** (0.113)	0.531*** (0.112)
Relevance	-0.421 (0.305)	-0.439 (0.306)	-0.431 (0.304)	-0.558* (0.311)	-0.353 (0.310)	-0.423 (0.306)
Values: Access to Information	0.494** (0.216)	0.509** (0.217)	0.506** (0.216)	0.571*** (0.221)	0.447** (0.219)	0.491** (0.217)
Values: Civic Participation	0.114 (0.205)	0.124 (0.205)	0.121 (0.205)	0.165 (0.208)	0.067 (0.208)	0.119 (0.206)
Values: Public Accountability	0.276 (0.193)	0.272 (0.193)	0.296 (0.193)	0.290 (0.194)	0.232 (0.194)	0.257 (0.193)
Values: Technology and Innovation	0.048 (0.198)	0.089 (0.198)	0.072 (0.196)	0.133 (0.198)	0.088 (0.198)	0.100 (0.198)
Democratic Institutions	0.015 (0.084)					
Potential Impact x Democratic Institutions	0.054 (0.038)					
Log GDP per Capita		0.067 (0.189)				
Potential Impact x Log GDP per Capita		0.057 (0.084)				
Corruption			0.996 (1.094)			
Potential Impact x Corruption			0.696 (0.528)			
Public Consultation				0.030 (0.077)		
Potential Impact x Public Consultation				0.000 (0.032)		
Civil Society Network					-0.640 (0.391)	
Potential Impact x Civil Society Network					0.414** (0.166)	
Log Total Commitment						0.279 (0.455)
Potential Impact x Log Total Commitment						-0.084 (0.208)
AIC	1023.365	1027.100	1020.950	1002.932	1022.486	1028.582
Num. obs.	782	782	782	765	782	782
Num. groups: country	33	33	33	32	33	33

***p < 0.01, ** p < 0.05, * p < 0.1

Table 3 presents the results of models that include interaction terms between commitment-level Potential Impact and different country-level factors.

Table 4: Hierarchical logistic regression model results for determinants of commitment completion, including interaction terms between Specificity and different country-level covariates. Standard errors in parentheses. Intercept term not displayed to save space.

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Potential Impact	-0.166*	-0.168*	-0.144	-0.173*	-0.168**	-0.169*
	(0.101)	(0.101)	(0.101)	(0.101)	(0.101)	(0.101)
Specificity	0.560***	-0.538***	0.186	0.736***	0.627	0.175
	(0.122)	(0.112)	(0.310)	(0.178)	(0.400)	(0.767)
Newness	-0.328*	-0.304*	-0.337*	-0.315*	-0.336*	-0.336*
	(0.181)	(0.183)	(0.180)	(0.181)	(0.182)	(0.182)
Relevance	-0.440	-0.428	-0.421	-0.553*	-0.418	-0.435
	(0.305)	(0.308)	(0.305)	(0.312)	(0.307)	(0.306)
Values: Access to Information	0.518**	0.544**	0.526**	0.547**	0.486**	0.500**
	(0.217)	(0.218)	(0.216)	(0.221)	(0.217)	(0.217)
Values: Civic Participation	0.138	0.147	0.137	0.147	0.120	0.130
	(0.205)	(0.206)	(0.204)	(0.209)	(0.206)	(0.206)
Values: Public Accountability	0.272	0.265	0.284	0.307	0.251	0.252
	(0.192)	(0.193)	(0.192)	(0.194)	(0.192)	(0.192)
Values: Technology and Innovation	0.065	0.098	0.075	0.137	0.098	0.105
	(0.198)	(0.200)	(0.196)	(0.197)	(0.198)	(0.198)
Democratic Institutions	0.046					
	(0.092)					
Specificity x Democratic Institutions	0.031					
	(0.038)					
Log GDP per Capita		-0.392				
		(0.260)				
Specificity x Log GDP per Capita		0.254**				
		(0.103)				
Corruption			0.706			
			(1.402)			
Specificity x Corruption			0.681			
			(0.604)			
Public Consultation				0.145		
				(0.094)		
Specificity x Public Consultation				-0.052		
				(0.037)		
Civil Society Network					0.169	
					(0.436)	
Specificity x Civil Society Network					-0.043	
					(0.182)	
Log Total Commitment						-0.067
						(0.547)
Specificity x Log Total Commitment						0.110
						(0.234)
AIC	1024.808	1021.235	1021.410	1001.006	1028.808	1028.549
Num. obs.	782	782	782	765	782	782
Num. groups: country	33	33	33	32	33	33

***p < 0.01, ** p < 0.05, * p < 0.1

Table 4 presents the results of models that include interaction terms between commitment-level Specificity and different country-level factors.

Table 5: Comparison of original coefficients, standard errors, and p-values from Table I in the main paper, with bootstrapped standard errors and p-values based on one hundred resamples with replacement from original data.

	Original Coef.	Original S.E.	Original p-value	Bootstrapped S.E.	Bootstrapped p-value
Potential Impact	-0.168	0.101	0.095	0.098	0.084
Newness	-0.332	0.182	0.068	0.195	0.089
Specificity	0.534	0.112	0.000	0.108	0.000
Relevance	-0.423	0.306	0.166	0.312	0.175
Values: Access to Information	0.491	0.216	0.023	0.248	0.048
Values: Civiv Participation	0.123	0.206	0.549	0.220	0.577
Values: Public Accountability	0.253	0.192	0.189	0.201	0.210
Values: Technology and Innovation	0.101	0.198	0.609	0.204	0.619

Table 5 presents the results of a bootstrap test based on the results from Table I in the main paper, as one test of the sensitivity of the results. One concern is that since the sample of countries and commitments is relatively small, the results might be driven by one particular country or subset of commitments. This bootstrap test generates one hundred “new” datasets based on resampling (with replacement) from the existing data. Each re-sampled dataset thus contains a different random permutation of real observations, but with some over-sampled and others excluded entirely. Table 5 compares the original standard errors and p-values with new ones generated from the bootstrap test. Most of the standard errors and p-values become only slightly larger, and none of the changes shift the significance of any of the main findings. The standard error and p-value for Potential Impact, in fact, becomes slightly smaller in the results of the bootstrap test -- reflecting a less uncertain result.

PROMOTING OPEN JUSTICE: ASSESSMENT OF JUSTICE RELATED COMMITMENTS IN OGP ACTION PLANS

Sandra Elena¹

INTRODUCTION

According to Transparency International's Global Corruption Barometer 2013, the judiciary is perceived to be the third most corrupt institution in the world (after political parties and the police). In recent years, numerous initiatives have been undertaken around the world to promote open governments, access to information and transparency (Naser 2012). Nevertheless, the judiciary continues to be among the least willing of the public institutions to implement policies supporting openness, generally because of their conservative values and the absence of a culture of accountability, in particular in developing countries (Elena et al. 2014). The closed nature of judiciaries may also have historical and political explanations. While in most cases judiciaries were created, among other duties, to protect minority rights, separation from the citizens may have been a way to protect its independence. In many countries with powerful executive branches and a strong governing majority, transparency and public openness could be perceived as a threat.

Institutions such as the judiciary play a critical role as stable, enduring social arrangements that provide the rules, practices and structures that shape the public agencies in which society trusts to disburse their public service responsibilities. However, we are living at a time in which trust between society and public institutions is strained. Citizens are taking control to improve their daily lives and, as they do so, it is critical to restore trust between citizens and public institutions (Castells et al. 2014; Castells forthcoming).

Despite the great role the judiciaries play in a democracy, little attention has been paid to them from the Open Government (OG) community. Practitioners tend to focus on executive branches and parliaments. Judiciaries have a double role related to OG: as implementers of open judicial policies and as promoters of OG standards for other agencies of the State through its judgments. Openness in the judiciary should be a standard practice as the judiciary provides a public service that affects people's lives and it must be accountable to them. Additionally, OG core values such as transparency, accountability, participation and innovation should be governing principles in the judges' rulings. The question, then, is how can public respect for judicial institutions be restored? How can the credibility of justice system actors such as judges, prosecutors, public defenders and law enforcement officers be restored?

¹ Director of the Justice and Transparency Program at CIPPEC. Email: selena@cippec.org. The author acknowledges Joseph Foti for the review of this paper and Marie Heuzé and Glenda Ecker as research assistants.



One answer is for the judiciary to exhibit, with total transparency, the institution in a way it can be understood by all citizens. With new information tools at their disposal and a greater degree of connectivity between citizens globally (Castells et al. 2014), people are now better positioned to assess the services delivered by the judiciary, to monitor judicial behavior and to evaluate the performance of the justice system.

The justice system must face the challenge of how it conceives of itself and of how society perceives it. The correct implementation of policies promoting transparency, participation, collaboration and open data will allow judiciaries to increase their legitimacy, by promoting citizen participation mechanisms, improving judicial accountability and delivering high-quality service (Elena et.al. 2012).

The objective of this study is to examine justice-related commitments included in the National Action Plans of the OGP members, based on the data available in the OGP Explorer. This will allow us to understand how many and what kind of commitments on justice-related matters countries are proposing within OGP. The study will assess these commitments against the core values of open justice and analyze most common trends and typologies of commitments countries are proposing on justice matters.

COMPONENTS OF OPEN JUSTICE

Even though the concept of open justice is new, it is possible to apply some of the general principles of open government and to adjust them to the justice sector (Jiménez 2015). The following paragraphs outline key components of open judicial government:

Transparency: The publication of judicial information and statistics are essential to enable the modernizing of justice (Pastor 2005). If there is no reliable and complete information, it is not possible to identify flaws or issues for improvement.

The openness of judicial information has two immediate effects: the distance between the judiciaries and citizens narrows allowing the latter to participate in addressing problems, solutions, and challenges faced by the former. It also promotes accountability by allowing people to monitor and exert control over the judiciary (ADC 2009).

It is also necessary to adapt or create offices in charge of collecting, processing and publishing information. These offices should ensure that all public information produced by the judiciary is accessible to the public. Both administrative types of information (i.e. rules on selection and removal of judges, allocation and execution of budget, staff selection, creation of new courts, judicial statistics, etc.) and jurisdictional information (i.e. resolutions and judgments) are equally important (Elena et.al. 2012)

Technology and Innovation: Case management systems that provides for a more accessible court system and publication of data in open formats are the two most common innovations in the justice sector.

Judiciaries are slowly beginning to publish judicial data in open formats. The Open Data Institute defines open data as data that anyone can access, use and share (ODI, 2015). The distinctive features of open data include according to the Open Knowledge Foundation (2012) are: (i) **Accessibility.** The information generated by the judiciary must be available as a whole, at a reasonable reproduction cost, preferably available for downloading over the internet; (ii) **Non-discrimination.** There should be no discrimination against fields of endeavor or against persons or groups in the use, reuse and redistribution of information. Access to information must not be restricted to certain purposes or subject to copyright; (iii) **Reusability.** Data must be in formats that enable reuse, redistribution and intermixing with other datasets, to enable interactive use of the information; and (iv) **Sustainability.** It is of particular significance to consider whether the benefits of an activity or program are able to be extended into the future regardless of who implements them. Web page data must be kept updated; the frequency for the loading of data should be set, and there should be standardized processes for the forms and timing of the publication of the information. Furthermore, a fifth aspect that is considered important for the purpose of assessing the integrity of open data is its relevance.

In terms of the types of data that the judiciary should publish in open formats, the following are suggested as the minimum requirements (Elena et. al 2014): (i) **Court rulings.** All rulings should be published. Rulings are the decisions by the court that bring cases to an end. Other court resolutions ending processes or that are relevant to their resolution, and those ordering their dismissal, should also be published. Ideally, judiciaries should publish decisions of courts of all instances: district courts, courts of appeals and Supreme Courts; (ii) **Statistics.** Sets of quantitative data that describe the structure and activity of the courts, and specifically reflect their performance. Statistics on the judiciary should provide information related to judicial performance. Among others, indicators to be included are caseload, cases solved, congestion rate disaggregated by type of case, type of court, judge, etc.; and (iii) **Budgetary and administrative information.** Information related to budget allocation and its execution. This category also includes information related to procurement and contracting, human resources and infrastructure, among others.

Accountability: The Judicial Branch is one of the state institutions that is least subjected to public scrutiny; the judicial system must be accountable on a multiplicity of areas still to be discerned and developed more clearly in the current practices of the judicial institutions. This requires unavoidable differentiation: first, between the type of judicial and para-judicial organizations (courts, prosecutors, etc.); then across functions, revolving around the court, the government and the administration, as different work areas, subject to special rules; third among social and political actors, each with characteristics that require to build different dialogues (Alberto. M. Binder 2014).



In addition, open justice also means that “accountability and legitimacy within the legal process can be achieved through making accessible information about court procedures, court records, laws and judicial decisions” (Biber 2014).

Participation and Collaboration: There are several mechanisms to improve civil society participation within the judiciary; judicial portals and judicial centers of information are increasingly widespread. While they do not constitute by themselves a channel for participation, they allow people to engage in more informed participation. Traditional approaches such as mediation, conciliation, arbitration and amicus curiae can be considered as a superior step for participation. Additionally, increasing access to justice by lowering access costs, implementing more flexible procedures, and promoting stakeholders involvement in lawsuits are also forms of promoting participation.

In addition to these legal tools, some modern justice systems are using electronic government to capture users’ opinion, run consultations and to complete judicial processes on-line. Even though they may be an important step forward in communication, they can only be considered engagement tools when they are bi-directional, that is to say, when communication flows between both parties. Client services offices and judicial information mechanisms also promote participation in the justice system.

Participatory justice and restorative justice are models of conflict resolution in which the parties actively participate in the search of a solution. A single judge does not rule on a matter without consultation, but relies on negotiation in which parties, victims and defendants make their contributions and bring their points of view to the table. This model includes methods oriented to reinforce collaboration, consensus, and conflict prevention. It is considered, in general, less expensive, faster than and as efficient as the traditional model (Abrahamson 2002).

Citizens’ collaboration with the judicial system is still unusual. Collaboration is understood here as co-creation of public judicial policy by judicial government and civil society. Increasing such collaboration requires innovative policy design, implementation and evaluation.

FINDINGS

Findings in this section are from an analysis of judicial commitments on justice matters. All the information has been retrieved from the OGP Explorer² and from the OGP web pages. In order to determine which commitments this research should include, the tags “law enforcement” and “judiciary” were applied. As these two tags were not sufficient to include all justice-related commitments, we used the following filters: judicial, justice, judiciary, law, and two filters in Spanish: ley (law) and justicia (justice). All commitments under the justice, judiciary, judicial and justicia filters are analyzed in the research. Those under the categories law, law enforcement and ley are included only if they directly relate to the justice system. A total of 58 commitments were preselected.

² <http://www.opengovpartnership.org/explorer/all-data.html>. Data retrieved between September 4th and September 16th, 2015.

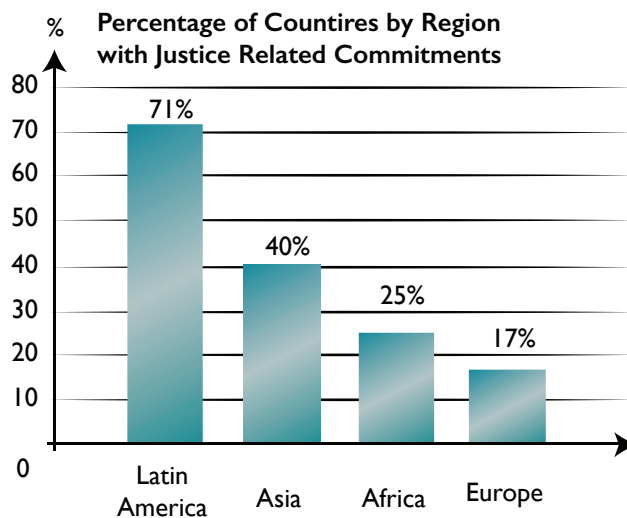
These commitments were assessed one by one to determine if they directly relate to the judicial system. By doing this, we disregarded those commitments in which the Ministry of Justice acted only as an administrative body to coordinate a National Plan, and not as a justice system stakeholder. We also cut off some commitments that, even if they somehow mention the judiciary, were not focused on it.

Commitments by countries

Thirty-five out of 1985 commitments included in the OGP Explorer (IRM all commitments) dataset are on justice-related issues. This represents 1.76% of the total commitments. There are 21 countries that have delivered judicial commitments. In **Appendix I** there is a chart that includes these countries and the commitment titles.

Latin America seems to be the most active region proposing commitments on Justice. 71% of the Latin-American countries that are members of OGP presented justice commitments (Argentina, Brazil, Peru, Paraguay, Chile, Colombia, Costa Rica, Guatemala, Mexico and El Salvador). Despite Europe representing roughly a 40% of OGP countries, only 17% of European countries in OGP (Spain, Romania, Hungary, Albania and Moldova) have delivered justice commitments. 40% of Asian countries in OGP (Mongolia, Georgia, Indonesia and Jordan) proposed commitments related to justice issues, and 25% of African countries (Kenya, Ghana) delivered this kind of commitments.

Figure I shows the distribution of justice commitments by regions.

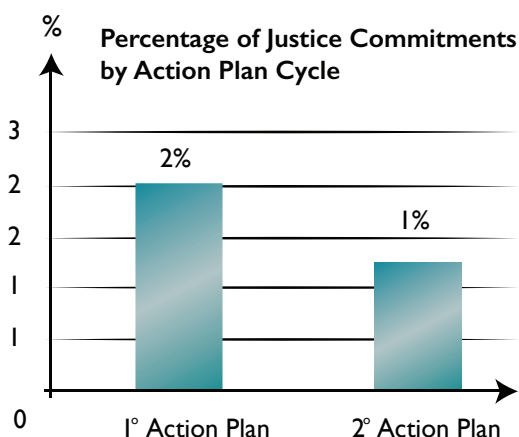


Commitments by Action Plans

Twenty-six out of the 35 justice-related commitments are in the first Action Plans. As the total number of commitments in the first action plan is 1250 this represents 2% of the total commitments.

Only 9 justice-related commitments are in the second and third cycle of Action Plans.³ As the total number of commitments in this cycle is 734 these 9 commitments represent only 1% of total commitments in second and third Action Plans. Taking into account that most of the countries (16 out of 21) are in their second or third Action Plan, this implies a reduction of justice-related commitments over time.

Figure 2 shows the distribution of justice-related commitments by Action Plan cycle.



There is no substantive difference on the subject matter that commitments in the first and second Action Plans address. There is no evidence of a shift from transparency and technology to accountability and participation in the second cycle of Action Plans.

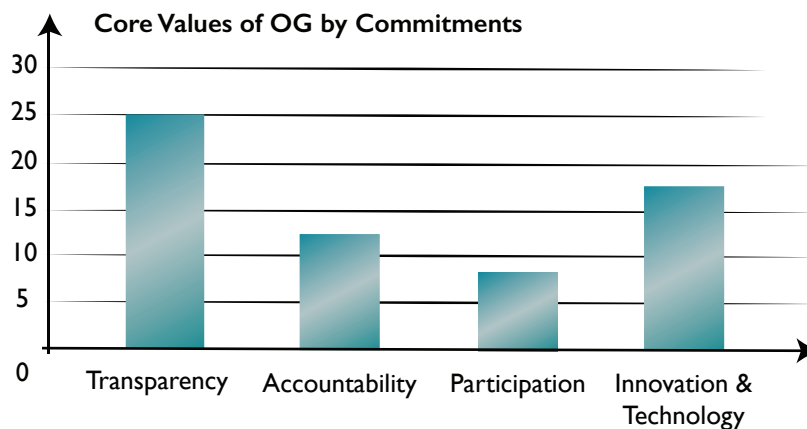
Commitments by Core Values

Country commitments can be classified according to the core values of open judicial government they mainly address. Commitments can be oriented to foster transparency, technology and innovation, accountability, and/or civic participation. In some cases, one commitment addresses more than one of these components. The analysis shows that the majority of commitments are designed to provide more transparency to the justice system. In some cases, one commitment addresses more than one of these components.

³ For the purpose of this chart, the justice-related commitment made by El Salvador in its third action plan is included into the second action plan cycle.

The analysis shows that the majority of commitments are designed to provide more transparency to the justice system. They are oriented to provide more access to judicial information on judicial cases, statistics, laws and assets disclosure. Some commitments on access to judicial information provide that data should be presented in national portals and/or in open formats. The use of technology and innovation is also widespread as a means to achieve transparency objectives. In **Appendix II** there is a chart with the 35 commitments analyzed and their classification by core value.

In **Figure 3** commitments are classified according to the core values of judicial open government they focus on. The total number is more than 35 because one commitment may address more than one core value.



Commitments by “stars”

Since 2014, as part of the reporting process, the IRM recognizes model commitments and awards them “stars”. In order to receive a star, a commitment must meet the following criteria: it must be specific enough that a judgment can be made about its potential impact; the commitment language should make clear its relevance to opening government (specifically, it must relate to at least one of the OGP values); the commitment must have moderate or transformative potential impact (should it be fully implemented); and, finally, significant progress must be verified on the commitment during the Action Plan implementation period (OGP, IRM, 2015). Only 5 out of 35 analyzed commitments have received a star from the IRM. Three are from Albania, one from Chile and one from Peru. They are related to increasing access to judicial information on statistics and on cases, to foster civic participation by facilitating public engagement with the justice system, and to promote judicial accountability by management systems that improve criminal prosecution.

Commitments by Subject Matter

Commitments can be classified into the following categories:⁴

- Commitments aimed at **improving access to judicial information systems**: many of the commitments relate to increasing access to judicial information on statistics, files, cases, judgments and hearings. There are some specific commitments related to the judiciary, and some others that are on access to information laws and regulations but specifically include judiciaries among the targeted agencies. The creation of portals with judicial information can be considered as a trend. The objective of these portals is to consolidate judicial information that was in different web pages -or produced but not made public- in one single, user-friendly site. Some of them include open data as the mandatory format. The benefit of these portals is not only for key stakeholders such as the users of the court, civil society and the media but also for judicial governance bodies that can use them as a source of information to produce evidence-based public policy. There are also some mechanisms to disclose judicial and legal information as a way to provide tools that may allow citizens to better protect their rights.
- Commitments aimed at **improving judicial case management systems**: this kind of commitments generally includes the use of technology to improve case management, i.e. the digitalization of files, random allocation of cases to judges and recording of hearings. The objectives of these commitments are varied: increasing access to justice, developing an expedited and more efficient justice delivery, and implementing citizen monitoring of the judiciary. Some commitments in this category include the creation of crime mapping which allows the police, public authorities and neighbors to monitor geographical distribution of crime and to create better tools to prevent and combat it.
- Commitments aimed at **fighting against judicial corruption**: there is a group of commitments aimed at diminishing judicial corruption by using electronic tools. Two main sets of measures are proposed: development of online channels to receive citizens' complaints against judges and prosecutors and systems to improve judges' assets disclosure and follow-up on illegal enrichment. These commitments are proposed to foster judicial integrity and to promote accountability.
- Commitments aimed at **promoting civic participation in conflict resolution**: judiciaries and ministries of justice are beginning to include the community in the process of conflict resolution in decisions that can directly affect its members. This group of commitments is still at early stages. Even though governments and judiciaries intend to broaden participation, actual implementation of effective participation mechanisms seems not to be yet the case. Commitments in this category are mainly oriented to specific fields of law such as human rights (Ghana) and environmental rights (Chile). The creation of courts or new mechanisms within existing courts to broaden access to justice is also included in this category.

⁴ This assessment is not intended to evaluate actual implementation and effectiveness of each individual commitment, which was already done by the IRM, but to identify common trends and commitment clusters among the 35 evaluated commitments.

This research analyzes only the content of the commitments to identify common trends, but it does not assess actual implementation of these commitments. However, according to the evaluation of IRM, there is a common trend among them related to late implementation. Only 8 commitments have been implemented on or ahead of schedule, around the same number show total or substantive actual completion, and only five got IRM stars. These figures are similar to the general average for all commitments. Therefore, justice-related commitments can be considered to be of the same quality in terms of implementation and stars as other commitments. Some general reasons for late implementation of commitments may be the following: approval of laws does not mean actual implementation of mechanisms; some commitments showed lack of focus related to OG core values; deficient report on results; and it is too early to assess actual impact of measures.

CONCLUSIONS

After a thorough analysis of the 35 justice-related commitments we can conclude that the types of proposed activities are not totally innovative in the field of judicial reform. Most of them had been implemented in the world before the open government community took shape. The inclusion of case management systems, crime maps and dissemination of judicial information, the adoption of laws creating judicial councils, public defenders and anti-corruption offices and constitutional courts are pre-existing to the notion of open government (Decker, Möhlen, & Varela, 2011). Maybe the exception to this are the open data commitments and those that include civic and stakeholders' participation in case resolution. Judicial reform initiatives consistent with the core values of transparency and technology were widespread in the 90's.⁵ This wave of reform was moved forward by international organizations such as the World Bank, IADB, ADB, and cooperation agencies (USAID, DFID, among others) with the main objective of making courts more effective and less corrupt. Most of the 35 commitments on justice were actions that have been already in place in the countries. This would not constitute a problem in itself if some additional open government values were added to these initiatives. It would be advisable to strengthen the accountability and civic participation values as a way to modernize judicial reform strategies towards an open judicial government.

In terms of judicial accountability, there is much to be done; even though the increase of judicial information is a pre-requisite to accountability, it is not enough. The open government community has to promote judiciaries that implement systems for the evaluation and public monitoring of the judicial system as a whole and of individual judges. In terms of public participation there is a lot of room for improvement; some of the analyzed commitments include interesting best practices on civic participation in human rights and environmental cases.

⁵ For more detailed information on judicial reform in the 1990 and early 2000 see: Decker, K., Möhlen, C., & Varela, D. F. (2011). *Mejorando el Desempeño de las Instituciones de Justicia*. Washington, D.C: Banco Internacional de Reconstrucción y Fomento / Banco Mundial DeShazo, P., & Vargas, J. E. (s.f.). *Evaluación de la Reforma Judicial en América Latina*. Washington: CEJA. Vargas, J. E. (2006). *La nueva Generación de Reformas Procesales Penales en Latinoamérica*. Ciudad de México: Universidad Autónoma de México.

These initiatives should be generalized to include all types of cases. To add to this, actual involvement of stakeholders in the resolution of cases and in the design and implementation of judicial public policies may be concrete innovative commitments judiciaries can adopt.

Justice-related commitments are not frequent in National Action Plans. Less than one third of OGP countries have committed to implement some kind of open government initiatives that involve their judiciaries. This fact shows the relatively low involvement of judiciaries within the open government community compared to commitments on executive agencies and on parliaments. As the judiciary is one of the three branches of the government and has extensive democratic duties such as defend people's rights, deliver a public service to solve conflicts and protect the rule of law, it would be advisable to implement a targeted strategy to increment judiciaries' participation in OGP. This strategy may include: increasing the number of judges and prosecutors involved in regional and international meetings and in working groups; encouraging justice-related commitments that contemplate OG core values; including the study of open judicial government among the research topics OGP promotes; and creating an Open Judiciary Working Group.

Appendix I: Justice Commitments

Country name	Commitment title	
Albania	1	Online inspections of court and judicial hearings
	2	Digitalization of the file transfer process
	3	Amendment of the law on the right to information for official documents
	4	Online citizen claims in the judiciary system
	5	Audio and video recording of judicial hearings
	6	Portal www.gjykata.gov.al
Argentina	7	Proyecto de Ley para la reforma del Poder Judicial
Brazil	8	Open Data in the Ministry of Justice
	9	Dissemination of the public open data culture to the local governments
Chile	10	Participación ciudadana en materia medioambiental
	11	Fortalecimiento de la democracia ambiental
Colombia	12	Mayor transparencia de información del sistema de justicia
	13	Participación en la formulación de políticas
Costa Rica	14	Presentar a la Asamblea Legislativa un proyecto de Ley de Acceso a la Información Pública
El Salvador	15	Acompañar el esfuerzo de reforma a la Ley del enriquecimiento ilícito que impulsa la oficina de Probidad de la Corte Suprema de Justicia para proponer que las declaraciones patrimoniales de los funcionarios sean públicas
	16	Fortalecer la probidad pública
Georgia	17	Public Service Hall Hub of Public Service
	18	Citizens and Justice
	19	Proactive Publication of Surveillance Statistics
	20	Interactive Statistics and Crime Mapping
Ghana	21	Human Rights and Anti Corruption
Guatemala	22	Aumentar la Integridad Pública
Hungary	23	Dissemination of information on anti corruption and integrity
Indonesia	24	Police
Jordan	25	Establishment of an Administrative Court
Kenya	26	Improving Transparency in the Judiciary 2 a Public Vetting of Judges and Case Allocation System
Mexico	27	Criminal Investigation Website
Moldova	28	Amend Law no 1264 XV to make income and property declarations of senior officials judges prosecutors and civil servants public

Mongolia	29	Crear una base de datos unificada de actividades de aplicación de la ley, delitos y registros de violaciones y garantizar que la base de datos sea accesible a los organismos relevantes
Paraguay	30	Servicio de información legal en línea
Peru	31	Acuerdos plenarios supremos
Peru	32	Subsistema especializado en delitos de corrupción
Romania	33	The Public Procurement Electronic System SEAP B I b The Electronic Allocation System for Transports SAET B I c Expanding the on line submission of fiscal forms B I d Ensuring the free on line access to national legislation B I e Developing electronic tools to manage subpoenas and facilitate access to information regarding legal proceedings B I f Developing electronic tools to manage the procedures related to obtaining the Romanian citizenship B I g Developing electronic tools to manage the procedures related to the creation of non profit legal persons B I h her Integrated System for Electronic Access to Justice SIAEJ
Spain	34	e justicia
Spain	35	Portal of the Administration of Justice

Appendix II: Justice Commitments by Core Values of Open Justice

Country	Commitment title	Transparency	Accountability	Participation	Technology/Innovation
1. Albania	1. Online inspections of courts and judicial hearings	X	X		X
	2. Digitalization of the file transfer process	X	X		X
	3. Amendment of the law on the right to information for official documents	X		X	
	4. Online citizens claims in the judiciary system		X		X
	5. Audio and video recording of judiciary hearings	X	X		X
	6. Portal www gjykata.gov.al	X	X		X
2. Argentina	7. Proyecto de Ley para la reforma del Poder Judicial	X			
3. Brazil	8. Open Data in the Ministry of Justice	X			X
	9. Dissemination of the public open data culture to the local governments	X			X
4. Chile	10. Participación ciudadana en materia medioambiental	X	X	X	
	11. Fortalecimiento de la democracia ambiental	X		X	
5. Colombia	12. Mayor transparencia de información del sistema de justicia	X			X
	13. Participación en la formulación de políticas		X	X	X
6. Costa Rica	14. Presentar a la Asamblea Legislativa un proyecto de Ley de Acceso a la Información Pública	X		X	
7. El Salvador	15. Acompañar el esfuerzo de reforma a la Ley del enriquecimiento ilícito que impulsa la oficina de Probidad de la Corte Suprema de Justicia para proponer que las declaraciones patrimoniales de los funcionarios sean públicas	X			
	16. Fortalecer la probidad pública	X			

8. Georgia	17. Public Service Hall Pub of Public Services				X
	18. Citizens and Justice			X	
	19. Commitment 16 Proactive Publication of Surveillance Statistics	X			
	20. Commitment 26 Interactive Statistics and Crime Mapping				X
9. Ghana	21. Human Rights and Anti Corruption		X	X	
10. Guatemala	22. Aumentar la Integridad Publica	X	X		
11. Hungary	23. Dissemination of information on anti corruption and integrity	X	X		
12. Indonesia	24. Police	X	X		X
13. Jordan	25. Establishment of an Administrative Court				
14. Kenya	26. Improving Transparency in the Judiciary 2 a Public Vetting of Judges and Case Allocation System	X			X
15. Mexico	27. Criminal Investigation Website	X	X	X	X
16. Moldova	28. Amend Law no 1264 XV to make income and property declarations of senior officials judges prosecutors and civil servants public	X			
17. Monogolia	29. Create a united information database on law enforcement activities crimes and violation records and ensure that the database is accessible to relevant bodies	X			
18. Paraguay	30. Servicio de informacion legal e legal	X			X
19. Peru	31. Acuerdos plenarios supremos			X	
	32. Subsistema especializado en delitos de corrupcion		X		
20. Romania	33. Commitment B I B I a The Public Procurement Electronic System SEAP B I b The Electronic Allocation System for Transports SAET B I c Expanding the on lie submission of fiscal forms B I d Ensuring the free on line access to national legislation B I e Developing electronic tools to manage subpoenas and facilitate access to information regarding legal proceedings B I f Developing electronic to manage the procedures related to obtaining the Romanian citizenship B I g Developing electronic tools to manage the procedures related to the creation of non profit legal persons B I h The Integrated System for Electronic Access to Justice SIIAEJ	X			X
21. Spain	34. e justicia				X
	35. Commitment No 7 Portal of the Administraion of Justice	X			X

Bibliography

Abrahamson, S. S. (2002), "Involving individual citizens with courts and tribunals: initiatives in the United States and Canada". Editions Thémis, Montreal.

Asociación por los Derechos Civiles (ADC), (2009). Acceso a la información y transparencia en el poder judicial. Guía de buenas prácticas en América Latina área justicia. ADC, Buenos Aires.

Biber, K., 2014. Inside Jill Meagher's Handbag: Looking at Open Justice. *Alternative Law Journal*, 39(2), pp.73–77.

Binder, Alberto (2014) ¿Cómo y sobre qué debe rendir cuentas el sistema judicial? *Revista Sistemas Judiciales* <http://www.cejamericas.org/index.php/areas-de-trabajo/25-noticias/377-en-marzo-se-presenta-nueva-edicion-de-la-revista-sistemas-judiciales.html>

Castells, M. (2014), Rethinking development in the global information age. In J. Muller (Ed.), *Higher Education and Development*. Cape Town: African Minds.

Castells, M., Chacón I., & Himanen, P. (2014). *Toward a Welfare State 2.0? The Crisis and Renewal of the European Welfare State*. In M. Castells & P. Himanen (Eds), *Reconceptualising Development in the Global Information Age*. Oxford: Oxford University Press.

Decker, K., Möhlen, C., & Varela, D. F. (2011). *Mejorando el Desempeño de las Instituciones de Justicia*. Washington, D.C: Banco Internacional de Reconstrucción y Fomento / Banco.

DeShazo, P., & Vargas, J. E. (s.f.). *Evaluación de la Reforma Judicial en América Latina*. Washington: CEJA.

Elena, S. (2015). *Datos Abiertos para una Justicia Abierta: Un Análisis de caso de los Poderes Judiciales De Brasil, Costa Rica, México y Perú*. ILDA (Iniciativa Latinoamericana por los datos abiertos).

Elena, S. (2015). *Open Data for Open Justice: A Case Study of the Judiciaries of Argentina, Brazil, Chile, Costa Rica, Mexico, Peru and Uruguay*, Center for the Implementation of Public Policies Promoting Equity and Growth, Open Data Research Symposium, 27th May 2015, Ottawa, Canada

Elena, S.; Aquilino, N. and Pichón Rivière, A. (2014), *Case Study "Emerging Impacts in Open Data in the Judiciary Branches in Argentina, Chile and Uruguay"* CIPPEC, Buenos Aires.

Jiménez, Carlos E. (2015). *Justicia Abierta (Open Justice)*, available at <http://www.novagob.org/groups/profile/61714/justicia-abierta-open-justice>, (accessed 4 may 2015).

Naser, A. (2012). *Datos abiertos: Un nuevo desafío para los gobiernos de la región*. CEPAL.

Open Data Institute (ODI), <https://theodi.org/guides/what-open-data>.

Open Government Partnership, Explorer (IRM assessed data) <http://www.opengovpartnership.org/explorer/irm-assessed-data.html>

Open Government Partnership, IRM 2015, IRM to Raise the Bar for Model Commitments in OGP, <http://www.opengovpartnership.org/blog/independent-reporting-mechanism/2015/05/06/irm-raise-bar-model-commitments-ogp>

Open Knowledge Foundation, (2012), *Open Data Handbook*, <http://opendatahandbook.org/>

Pastor, S. (2005), *Cifrar y Descifrar Volumen I: Manual para generar, recopilar, difundir y homologar estadísticas e indicadores judiciales*. CEJA, Chile.

The Rule of Law Index 2015 (World Justice Project), <http://worldjusticeproject.org/rule-of-law-index>

The Open Government Index 2015 (World Justice Project), <http://worldjusticeproject.org/open-government-index>

The Global Corruption Barometer, 2013, Transparency International, <http://www.transparency.org/gcb2013>

Vargas, J. E. (2006). *La nueva Generación de Reformas Procesales Penales en Latinoamérica*. Ciudad de México : Universidad Autónoma de México

MEASURING THE IMPACT OF THE OPEN GOVERNMENT PARTNERSHIP IN MEMBER STATES USING AN IMPLEMENTATION SIZE MODEL

Rafael E. Valenzuela¹; J. Ignacio Criado²; Edgar Ruvalcaba³

BACKGROUND

The role of the Open Government Partnership (OGP) has been key to promoting transparency, participation and collaboration in the 66 member countries, and it is now time to generate frameworks of analysis that allow us to understand in the most precise way possible the impact of the measures adopted. Open government research suggests that is a model to create better conditions for political and social dialogue, normative frameworks to be translated into laws and regulations, organizational change in public administrations, the creation of software, applications and useful processes for citizens (Meijer, Curtin and Hillebrandt, 2012; Scholl, Kubicek, Cimander and Klischewski, 2012; Sandoval, 2013; Quintanilla and Gil-García, 2013; Valenzuela, 2013; Criado, 2013; Ramírez and Dassen, 2014; Valenzuela 2014; Renteria, 2015; Valenzuela, 2015; Kaufman, 2015); other authors approach to Open Government more widely (Lathrop and Ruma, 2010; McDermott, 2010; Ganapati, and Reddick, 2012; Grimmeli khuijsen, 2012; Lee and Kwak, 2012).

Furthermore, significant evaluation of high potential impact has been undertaken by the OGP's Independent Reporting Mechanism (IRM) as measurement of outputs and outcomes, not long term impact. However, the magnitude of the change has not been identified in a universe of more than 2,000 initial actions that result of commitments to national action plans (NAPs). Therefore, the aim of this work consists in identifying the contribution of the OGP in the member countries, through the proposal of a framework of analysis known as the Implementation Size Model (ISM).

THEORETICAL, ANALYTICAL AND METHODOLOGICAL FRAMEWORK

In order to achieve the aim of identifying the contribution of the OGP in the member countries, a methodology based on the analysis of the implementation of open government as public policy is proposed. The point of departure is that the commitments require management in an organized way and focus on the type of action implemented. We previously analyzed the actions implemented in the NAPs, according to IRM. In this way, it is necessary to recognize that each action contributes in a different degree to the objectives of the OGP (such as promoting transparency, combating corruption, empowering citizens, among others).

¹ Associate Professor, Social Science and Public Administration Institute, Universidad Autónoma de Ciudad Juárez (Mexico). E-mail: rafael.valenzuela@uacj.mx

² Associate Professor, Department of Political Science and Int. Relations, and Vice-Dean of Research & Innovation, Faculty of Law and Political Science, Universidad Autónoma de Madrid (Spain). E-mail: ignacio.criado@uam.es

³ Researcher, Department of Political Science and International Relations, Universidad Autónoma de Madrid (Spain).

³² E-mail: edgar.publicpolicy@gmail.com



Consequently, our research question is as follows: **How is the contribution of the OGP distributed according to the scale of the actions described in the National Action Plans (NAPs)?**

Based on the **theory of public policy implementation**, a model has been developed for the authors of this paper to capture the contribution of the OGP, regarding the capacity of change of each implemented action. The theory indicates that besides the bottom-up and top-down perspectives, there is a way to study the implementation as a form of organization and bureaucratic process (Browne and Wildavsky 1998; Hill and Hupe 2002; Revuelta 2007). Some studies outline the organizational analysis of the policy implementation on a micro and macro levels (Berman, 1978). We add nano and meso levels, and also define the criteria for selecting each NAPs action to put into a level of implementation as part of our ISM model. The literature of public policy implementation, distinguishes the levels according to the type of public programs implemented, the goals of those programs, and if they involve (together) national, subnational or local layers of government. We use the levels in the ISM, according to the size of the action that was implemented in the NAPs.

When we analyze the actions defined as having potential impact based in the IRM, we foresee the importance of separating actions by level, with each level being different as not all require the same degree of organizational change. In this way, the size of the action of NAPs is associated with the degree of organizational change obtained.

Because not all of actions in the NAPs were implemented, we separate the actions that were actually undertaken from those that are not specified, or that were not implemented in a complete way. This implies we can focus our attention on specific actions that had any potential impact on the objectives of OGP.

Using a content analysis technique, we perform an exercise to distinguish the actions according to the size of the change in management. Then, we identify the size action according the following characteristics:

- a) That the action has been co-created or designed between government and civil society;
- b) That the action is evaluated by the IRM in the reports as an implemented action;
- c) That the action was implemented and has had a potential transformational impact in line with the parameters of the IRM.

This research proposal seeks to innovate a way of identifying the actions in function of their capacity to manage change at each level of implementation, as described above in the definition. The analytical model forecasts the following sizes of implementation in each action: nano, micro, meso and macro levels (see table I). The size of the action potential is defined as the capacity to transform the environment of government, as its rules (macro level), organization forms (meso level), improving public programs that were operational (micro level), or generating dialogue between actors (nano level), with the involvement of civil society

Table I. Implementation Size Model (ISM) for Open Government Actions

Size of organizational change	Level of implementation	Definition	Example of actions
1. Shallow	Nano implementation	Set of actions focused on the ability of public servants to generate dialogue to decide, create software with civil society and concrete proposals that do not modify organizational structures.	Dialogue, deliberation or software development. Example: Create a national informative site or receive proposals from citizens in website, commitments in Uruguay NAP.
2. Intermediate	Micro implementation	Set of actions that are focused on improving programs and policies of transparency, involving not creating organizational units, but only improving objectives, strategies and goals that have a political content.	Improve public programs, and create solutions to problems of transparency, access to information and accountability. Example: Publish International Initiative, by Canada's government, helps transparency.
3. Deep	Meso implementation	Set of actions that involve creating organizational structure as creating units, defining new processes and procedures to improve the effectiveness of government openness.	Organizational changes in the public sector. Example: Creation of transparency office by Peru's Government.
4. Rooted	Macro implementation	Set of actions that are characterized by establishing legal frameworks, legal standards and rules for open government.	Creation of legislation for the institutionalization of rules and axiological principles. Examples: Lobby law approved by Chilean Congress.

Source: Own elaboration

By developing an **implementation typology**, we are addressing the challenge of categorizing each level of implementation, and linking it to a specific quality in the action. By using only implemented actions and, furthermore, those that have a high potential impact in line with the IRM, we can innovate on the basis of a proposal that is founded on a prior external filter to this research.

Actions that have a shallow and intermediate level of organizational change do not mean that they are unimportant. **Nano implementation** implies a governmental openness centered on the public servant. Here there is a level of willingness to establish dialogue and deliberation. **Micro implementation** is focused on improving public programs, that consists of actions that are implemented in the creation or strengthening of programs that contribute with solutions to specific public problems related to transparency and accountability, among others.



Meso implementation encompasses actions that imply a deep level of organizational change. Achieving open organizations is the main challenge and actions in accord with this are located at this level. **Macro implementation** consists of reforming the norms, laws and regulations that surround open government. The proposals that are observed at this level of implementation are considered to be those that require more actors with capacity for management of change; that is, the action is more potent (rooted) in terms of institutionalization of its impact in organizations (see table 1).

The ISM implies that without organization, there is no capacity for change. For that reason, at the meso and macro levels of implementation the actions that contain organizational and institutional changes are grouped together, respectively. To put it differently, dialogue and establishing tables of negotiation are desirable, but insufficient, if those actions are not translated into changes of greater size.

In order to delimit the research **methodologically, two criteria are employed**. On the one hand the **geographic criteria**, which is demarcated to the member countries of the American continent; and on the other, the **temporal criteria**, which links the study to the implemented actions in the period between 2011 and 2013. This implies working with 15% of the global commitments. Therefore, we shall take the 12 countries as units of analysis, and the action plan and the evaluation report of the IRM as 'supplies' for the ISM model proposed above. The total sum of actions in the 12 countries ascends to 299.

With both the analysis undertaken and the reports published for the countries that comprise the Americas (Latin and Anglo-Saxon), the founding countries of the OGP can be identified, as well as those that joined later. There are 12 action plans evaluated in the Americas, that correspond to the same number of countries that were analyzed, which led us to reject the first action plan of Brazil, the United States and Mexico. These latter countries ended up being excluded from the research analysis, by virtue of the fact that their evaluation reports, undertaken by the IRM, have a different format to the other countries, and in consequence, their actions were not subject to impact measurement, because they were not classified in the same way as the other nine action plans.

The above reasons led us to focus on 204 actions. The three excluded countries represent 32 % (95) of the commitments, and so the reach or impact of the commitments implemented is indefinite, (299 - 95 = 204 actions). The criteria to define high potential impact actions, indicates that:

- a) The commitment established as it is written, is clearly relevant;
- b) In relation to the OGP values, it has a potentially significant impact, and;
- c) It is a commitment that has been substantively or completely implemented (OGP, 2015).

Additionally, OGP indicates the potential impact of the objectives is classified according to the following categories: no impact (NI), little impact (LI), moderate impact (MI) and transformative impact (TI). The high potential impact objectives are considered separately because they are immersed in the category of MI and TI. A little excel database has been created for the research, taking into account the actions that fulfill the three criteria of the IRM and the three criteria fixed above in the current study. In total, 58 high potential impact actions were implemented between 2011 and 2013, over a total of 299 commitments.

RESULTS

This section provides the research results. Table 2 shows the following outcomes: 36.1% of the commitments from the analyzed countries were implemented in their totality and 22.4 % have made a substantive advance. This translates into an advance of 58.5 % in the implementation of the commitments assumed in open government in the Americas (Latin and Anglo-Saxon), 11.4 % corresponded to non-initiated commitments and 4% were withdrawn commitments or the advance could not be deduced. The remaining 26.1% were implemented in a limited way. Taking an overall view of the commitments, it could be suggested that little more than a third (36%) of them were implemented and fully concluded.

Table 2. Commitments implemented in the evaluated in the Americas

Random order	Evaluated country	Not initiated	Limited advance	Substantive advance	Completed	Cancelled or withdrawn	Cannot be deduced	Total
1	Colombia	3	11	11	2	0	0	27
2	Peru	10	15	11	3	2	6	47
3	Dominican Republic	2	10	8	3	0	0	23
4	Uruguay	0	3	8	7	0	0	18
5	Canada	0	8	0	12	0	0	20
6	Brazil	0	0	5	25	2	0	32
7	Mexico	4	7	9	16	0	1	37
8	United States	0	6	4	15	1	0	26
9	Chile	3	1	0	15	0	0	19
10	El Salvador	3	4	5	9	0	0	21
11	Guatemala	2	10	2	0	0	0	14
12	Paraguay	7	3	4	1	0	0	15
Total summation 299 actions		34	78	67	108	5	7	299
Percentage of 299 actions		11.4%	26.1%	22.4%	36.1%	1.7%	2.3%	100

Source: Own elaboration

Table 3 identifies the countries that implemented the high impact actions. Uruguay stands out in this regard, as it implemented 50 % of its own actions with high impact. Uruguay is then followed by Chile with 36.8 % and El Salvador with 33.3 %. Among the countries with a lower percentage of high impact actions, Guatemala (7.1 %) stands out.

Table 3. High potential impact actions evaluated by the IRM in the Americas

Random order	Country evaluated	Total objective/goals per country	Total of high impact objective	Percentage of high impact objective (%)
1	Columbia	27	8	29.6
2	Peru	47	11	23.4
3	Dominican Republic	23	6	26.1
4	Uruguay	18	9	50.0
5	Canada	20	6	30.0
6	Brazil	32	X	X
7	Mexico	37	X	X
8	United States	26	X	X
9	Chile	19	7	36.8
10	El Salvador	21	7	33.3
11	Guatemala	14	1	7.1
12	Paraguay	15	3	20.0
	Total	299	58	19.40

Source: Own elaboration

The number of high potential impact objectives in table 3 is the most useful data to categorize the implemented actions and define the size of the change generated in each of the distinct levels of implementation proposed by the ISM. By employing the criteria established at the start, associated with the typology shown in table 2, each one of the 58 objectives of high impact by the IRM were linked (therefore actions that were not declared of high impact by the IRM were discriminated statistically), and so it was possible to focus on the size of the contribution of the OGP in the 12 countries analyzed. The following preliminary results were obtained:

Table 4. Results of the ISM of open government in the Americas

Size of organizational change	Level of implementation	High potential impact actions (IRM)	Percentage
1. Shallow	Nano implementation	8	13.8
2. Intermediate	Micro implementation	12	20.7
3. Deep	Meso implementation	23	39.7
4. Rooted	Macro implementation	15	25.9
	Total	58	100.0

Source: Own elaboration

Between 2011 and 2013, the actions where the OGP generated most contributions were in the **meso implementation** (see table 4). This is level 3, to which actions of an organizational order correspond, such as, among others, the creation of an autonomous institution that guarantees the protection of the right of access to public information (Columbia), the establishment of an agency of State purchases and contracting (Dominican), an integrated multiservice network (Chile), the opening of offices of information and response (El Salvador), a system of information exchange between government institutions (Paraguay) - among other actions of these four countries.

Within the OGP framework, the implemented actions at level 3 indicate a certain penetration in the governmental administrative structures. If the actions of type 3 are added to those of type 4, (**macro implementation**), we can sketch a preliminary conclusion: within the framework of the OGP, actions are designed that add organizational and institutional value, and to a lesser extent actions of dialogue and formulation of transparency and corruption prevention programs. This does not imply that change actions at levels 1 and 2 are not relevant for the OGP, but they involve less potential organizational and institutional change. Most of the implemented actions by the 9 countries studied are concentrated in governmental and civil society agreements in search of a more organizational and institutional view.

Within the actions of the macro implementation category are those that represent an outstanding organizational change. Among these actions can be highlighted, for example, the design and implementation of a normative framework for companies that function under a standard framework of corporate government to improve public integrity (Columbia), the draft law of probity in public service (Chile), the open regulation to improve accountability (Uruguay), the construction of the international initiative to promote transparency in infrastructure (Guatemala), among others. In these actions, the institutionalization of new rules, processes, or axiological principles portray rooted organizational changes.

CONCLUSION

This research initially centered on the action plans of twelve countries of the Americas (Latin and Anglo-saxon) (ultimately focusing on nine, due to the fact that the action plans of the United States, Brazil and Mexico's high impact actions were not identified by the IRM). The proposal of a typology of multilevel implementation for actions of open government (ISM) implies considering that not all actions are punctual and specific, but rather that a number exist breaking through public administrations in search of organizational and institutional changes that provide a certain sustainability as a result of the contribution realized via the OGP. In accordance with public policy theory, implementation of open government actions operates at multiple levels, like suggested in our ISM model.



Consequently, the contributions of open government are different in types, time and compliance to specific conditions of co-creation of NAPs. Not all countries will be interested in the four levels of implementation, because the size of actions, respond to different needs and context.

In sum, the contribution of the OGP in the Americas' governments is notable, given that 65.6 % of high potential impact actions, according to the IRM, belong to the meso and macro level of implementation in our ISM typology. It is worth specifying that the research is a classificatory exercise of the actions, that it is at an exploratory level and requires complementary studies to arrive at categorical conclusions. The implementation of open government requires a process subject to the adaptive capacity of the public organization, as well as how to manage the change, as is suggested in the premises of the ISM. The ISM could be replicable in other continents, and as future research it is proposed to do similar investigations in Europe, Asia, Africa and Oceania. Finally, the ISM could have its methodology improved and its results refined, as it is clear that the OGP has only just started a process of systemization of the information and products of published research.

Bibliography

Berman, P. (1978) *The study of macro and micro implementation of social policy*. Rand Corporation: California, USA.

Browne, Angela and Wildavsky, Aaron (1998) "La implementación como exploración" in Pressman, Jeffrey and Wildavsky, Aaron. *Implementación. Como las grandes expectativas concebidas en Washington se frustran en Oakland*. México DF: FCE

Criado, J. I. (2013) 'Open Government, Social Media y Sector Público'. En *Ciberpolítica. Las Nuevas Formas de Acción Política*, ed. Ramón Cotarelo. Valencia: Tirant lo Blanc, pp. 57-78.

Ganapati, S., & Reddick, C. G. (2012). Open e-government in US state governments: Survey evidence from chief information officers. *Government Information Quarterly*, 29(2), 115-122.

Grimmelikhuijsen, S. G. (2012). *Transparency and trust. an experimental study of online disclosure and trust in government*. Utrecht University Repository. Dissertation.

Hill, Michael and Hupe, Peter (2002) *Implementing Public Policy*. London: SAGE

Kaufman, Ester (2015) "Reflexiones sobre el proceso del ciclo de los planes de acción nacionales: rol del open government partnership" in XX Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública, Lima, Perú. 10 to 13 November.

Quintanilla, Gabriela and Gil-García Ramón (2013) Gobierno abierto en América Latina: Modelo conceptual, planes de acción y resultados preliminares. México DF: INAP

Lathrop, D., & Ruma, L. (2010). Open government: Collaboration, transparency, and participation in practice " O'Reilly Media, Inc."

Lee, G., & Kwak, Y. H. (2012). An open government maturity model for social media-based public engagement. *Government Information Quarterly*, 29(4), 492-503.

McDermott, P. (2010). Building open government. *Government Information Quarterly*, 27(4), 401-413.

Meijer, A. J., Curtin, D., & Hillebrandt, M. (2012). Open government: Connecting vision and voice. *International Review of Administrative Sciences*, 78(1), 10-29.

Ramírez, Álvaro and Dassen Nicolás (2014) Vientos de cambio. El avance de las políticas de gobierno abierto en América Latina y el Caribe. Washington DC: BID

Rentería, Rafael (2015) "Avances y retrocesos de la institucionalización del gobierno abierto en México" in XX Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública, Lima, Perú. 10 to 13 November.

Revuelta, Benjamín (2007) "La implementación de políticas públicas" in *Dikaion*. Universidad de La Sabana, Columbia. Vol. 21, num. 16, pp. 135-156

Sandoval, Rodrigo (2013) La larga marcha del Gobierno Abierto. Teoría, medición y futuro. México DF: INAP

Scholl, H. J., Kubicek, H., Cimander, R., & Klischewski, R. (2012). Process integration, information sharing, and system interoperation in government: A comparative case analysis. *Government Information Quarterly*, 29(3), 313-323

Valenzuela Mendoza, Rafael (2015) "Del diseño a la acción organizacional. Los nudos en la implementación de un gobierno abierto" in Martínez Puon, Rafael. *Gobierno Abierto en el fortalecimiento de la Democracia*. Editorial Tirant Lo Blanch: Valencia, España

Valenzuela, Rafael (2013) "Delimitar gobierno abierto para ampliar la colaboración con una sociedad más abierta" in *Estado, Gobierno y Gestión Pública*. Universidad de Chile. No. 21. pp. 127- 158

Valenzuela, Rafael (2014) "Gobierno abierto en una perspectiva multinivel. Reflexiones entre la razón teórica y la innovación práctica" in *Revista de Gestión Pública*. Volume III, Number 1. January-June. pp. 163-197.

Publication Details

The work in this publication was commissioned by Hivos and was carried out with the aid of a wider OGP research grant from the International Development Research Centre, Ottawa, Canada.

This publication is licensed under a Creative Commons Attribution 3.0 license (CC BY 3.0). The content might be shared, used and reused, provided that appropriate credits are given to the authors.





[OPENGOVPARTNERSHIP.ORG](https://open.gov/partnership)

[WWW.OPENGOVPARTNERSHIP.ORG/EXPLORER](https://www.opengovpartnership.org/explorer)

