

**LAY A SOLID
FOUNDATION**

IMPROVING THE OGP EXPERIENCE

LESSONS FROM
OGP MEMBER
COUNTRIES

**GET
ORGANIZED**

**ESTABLISH A
PLATFORM FOR
DIALOGUE**

**CONSULT
WIDELY**

**BUILD
PARTNERSHIPS**

**THE OGP CIVIL
SOCIETY HUB**

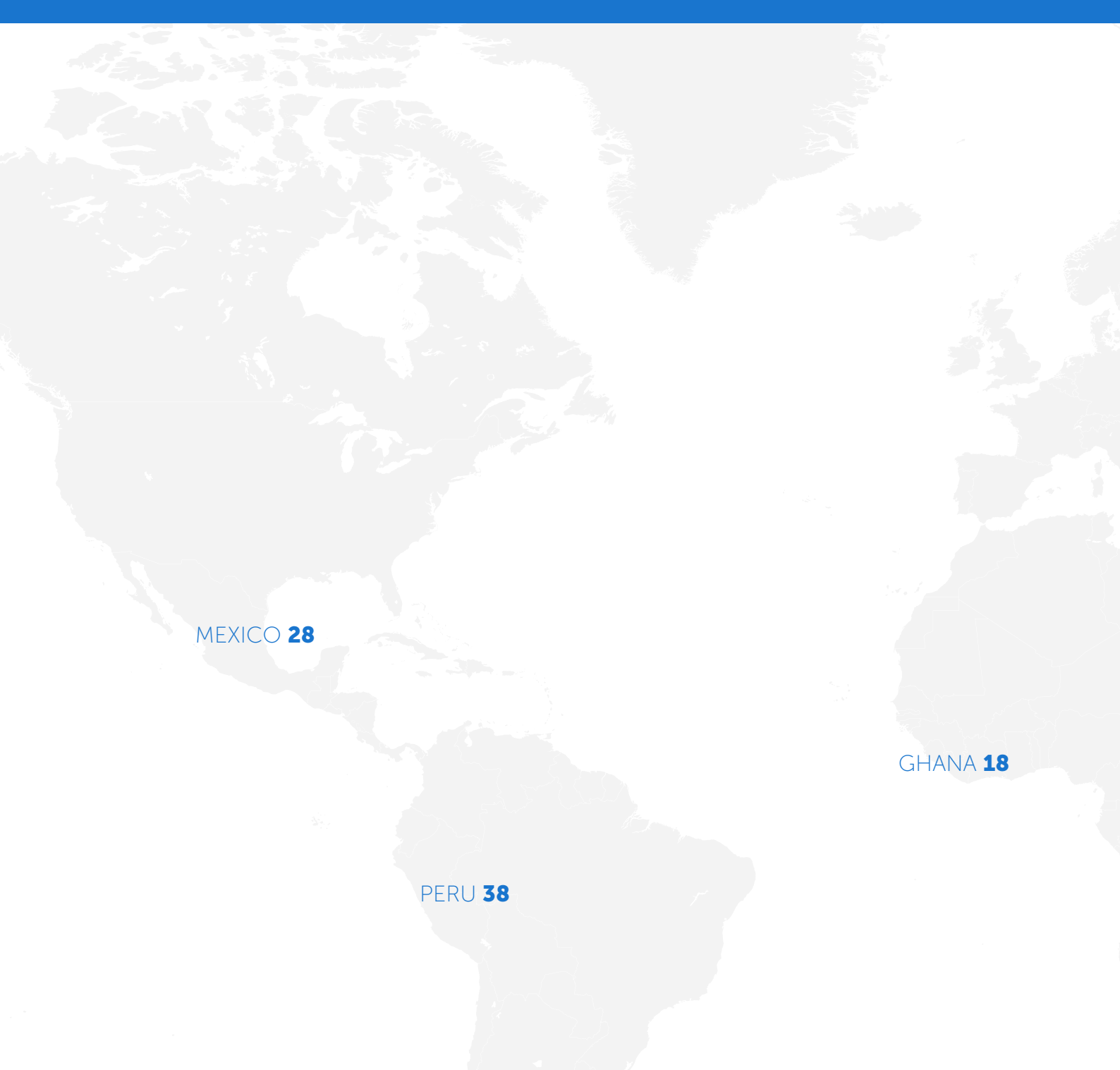


IMPROVING THE OGP EXPERIENCE: LESSONS FROM OGP MEMBER COUNTRIES

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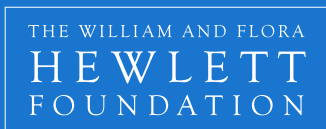


MEXICO **28**

GHANA **18**

PERU **38**

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INTRODUCTION

Across the world, civil society working towards open government and transparency is witnessing a dichotomous trend. On the one hand, laws enabling greater access to information, increased transparency and greater citizen involvement in policy-making processes are being adopted by governments in response to increasing domestic and international pressure; on the other hand, these very same governments seek on occasion to reduce the scope for media and civil society and by passing laws that curb individual freedom and public access to information they are becoming more secretive.

In Indonesia, for example, the progressive Transparency of Public Information Law of 2010 is promoting transparency and public participation in open policy and budgetary processes, and serves as a tool to fight corruption. Since the fall of the Suharto Regime, a robust civil society sector – student activist groups, traditional governance organisations and independent trade unions – has emerged that is vocal, active and mobilised for positive social and political change. However, more recently in this 'New Indonesia', there has been a rise in conservatism and the freedom of assembly enjoyed by civil society has been diminished by restrictions imposed under the guise of the so-called global 'war on terror' and the need to restrain 'anarchist groups' from using religion, ethnicity or other diversity issues to provoke conflict.

'The government has sought to introduce a spate of new legislation including the Intelligence Law, the National Security Bill, and the Bill on Mass Organisations (or ORMAS bill) that undermines key democratic freedoms,' says Longgena Ginting, the director of Greenpeace Indonesia. The Indonesian House of Representatives passed the controversial ORMAS Bill in early July 2013, despite civil society efforts to introduce amendments. Civil society will now challenge the law in the Constitutional Court.

In Croatia, parliament adopted a new Freedom of Information Act (FoIA) in February 2013. This followed a decade of advocacy and public campaigning to push

for a change in the law, including almost 10 months of intensive multi-stakeholder work led by the Ministry of Administration working group. 'Practically all our inputs and amendments were accepted in the adopted draft,' says Vanja Škorić, Senior Legal Advisor with GONG, a Croatian election-monitoring organisation. The adoption of the new FoIA was also one of the steps taken by Croatia to qualify for entry to the European Union on 1 July 2013. For the Croatian government, the successful implementation of the FoIA is vital. Civil society's role is to monitor and evaluate this step, and to ensure that the FoIA has a positive impact on citizens and the rule of law in the years to come.

These two examples demonstrate the delicate line that civil society organisations have to tread in their efforts to defend their role and space in society while, at the same time, working closely with government to bring about positive social and political change. With the development of National Action Plans, the Open Government Partnership (OGP), launched in 2011, has given civil society new opportunities for getting governments to publically commit to improving transparency, citizen participation and accountability through the use of technology and innovative practices. When formulated correctly, through consultation and in collaboration with civil society, a National Action Plan creates a government roadmap of concrete and measurable commitments to 'open government'. The international and public nature of these commitments – independently monitored – offers civil society the mandate to push for real actions on open government that will benefit citizens and raise its profile on the domestic political agenda.

With the support of high-profile promoters such as US President Barack Obama and Brazilian President Dilma Rouseff, the OGP has become the world's most prominent international initiative for improving government transparency. No fewer than 60 states are now participating.



*For the ordinary citizen,
what do the lofty ideals
of OGP mean?*

In Tanzania, rural citizens supported by NGOs are using mobile phone technologies to report on the status of water supplies (broken or dry wells, leaking pipes, etc.). The government gets the information and prioritises repairs. In that sense it helps them to monitor and manage public resources more effectively. More importantly it restores public access to clean water and increases citizens' trust in the capacity of the local government. In many world cities, governments are receiving information directly from citizens on everything from the status of roads, the quality of education and health services to local accidents and crime incidents. Citizens and government are increasingly working together to generate and use such information and to set priorities. They are discussing how to raise the quality of services and how better to monitor and track service delivery, in order that the everyday life of citizens may be improved.



LESSONS LEARNED SO FAR

In the first quarter of 2013, over 40 government and civil society representatives of 15 countries¹ were interviewed and consulted about their experiences and the lessons learned from developing the first OGP National Action Plan. The focus was placed on the initial consultation process and the mechanisms used to develop ongoing dialogue and co-governance between civil society and government. A number of common themes emerged from these interviews. These are presented in this paper, together with charts containing quantitative findings pertaining to the collaboration between government and civil society to develop the Action Plans. By taking these lessons to heart, civil society and government actors working on OGP can make their national processes smoother and more effective, and this will increase the overall impact of change.

¹Brazil, Costa Rica, Croatia, Ghana, Indonesia, Kenya, Mexico, Moldova, Montenegro, The Netherlands, Peru, the Philippines, the UK, Ukraine and the US. Go to www.ogphub.org to read the 15 Country Articles.

1. LAY A SOLID FOUNDATION

'Open Government for all countries is about being transparent and sharing data. Public data does not belong to government,' Francis Maude, Minister for the Cabinet Office, the UK.

The push for open government was already deeply entrenched in the UK prior to the OGP, with Prime Minister David Cameron making bold proclamations about becoming the most transparent government in history. Despite initial hiccups in the National Action Plan consultation process, a solid foundation has since been laid. Dialogue between civil society and government is now better structured and this has resulted in a 'revised' Action Plan, which was developed largely together. 'In its engagement with civil society, the whole team in the Cabinet Office has done an excellent job of putting the model of "Open Policy Making" into practice,' says Alan Hudson of the ONE organisation.

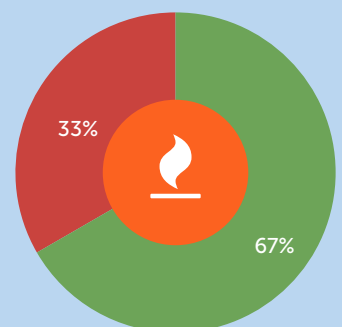
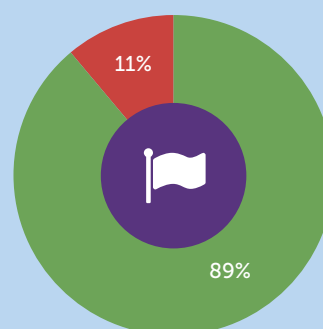
It is more difficult to create a firm foundation for the OGP if the prevailing tradition runs counter to the initiative. In Montenegro, for instance, the OGP process has highlighted the insufficiency within society of knowledge of open government concepts and principles. 'Openness is not a dominant concept; we've been so used to a closed system. Citizens don't demand anything because they don't know these values and they don't recognise them as being important,' says Milica Kovacevic of the Centre for Democratic Transition in Montenegro.

Meanwhile in Moldova, the government had already embarked on its e-Transformation agenda when it joined the OGP in 2011. In this case, the OGP has been used to embed open government in this agenda, bringing about enhanced collaboration between citizens, civil society, the private sector and government. As part of laying this solid foundation, the Moldovan government collaborated with international development partners. This enabled the government to raise awareness of the OGP and to involve as many participants in the consultations as possible. 'The issues related to open government were still emerging in Moldova, and the level of understanding, awareness and capacity of civil society organisations in this field was low. Civil society considers the approach taken by the e-Government Centre to have been appropriate to the context,' says Veronica Cretu, Coordinator of the working group on e-Government/Open Government within the National Participation Council, a group set up soon after Moldova approved its Action Plan in April 2012.

It is essential that a solid start to the partnership is made. This helps to lay the right foundation for a collaborative relationship and for building trust between government and civil society. For the OGP engine to run smoothly and efficiently, genuine government commitment is critical. Civil society must participate from the start and a well-resourced and smoothly functioning working group located in the most appropriate government department is very necessary. To keep the process moving, knowledge

Did the process of developing the first action plan help to increase the trust and cooperation between civil society (🔥) and government (🚩)?

● YES
● NO



of open government issues and of the OGP must be available to the local parties; in many cases the process is facilitated by external agencies and experts.

It is important that the right entity within government leads on OGP, balancing political influence and relevance for open government priorities. In many countries both the office of the president or prime minister are involved, as well as the ministry of home affairs or information. In some cases the ministry of Foreign Affairs is leading. Pointing to one of the often-heard criticisms of OGP, Katarina Ott, Director of the Institute of Public Finance, says that ‘while it’s an exciting time for Croatia, the government should avoid treating OGP as a kind of foreign policy PR and ensure it takes full responsibility’. At the same time, the fact that the revision of the access to information law was a concrete commitment in the Croatian OGP plan helped civil society in finally getting it delivered.

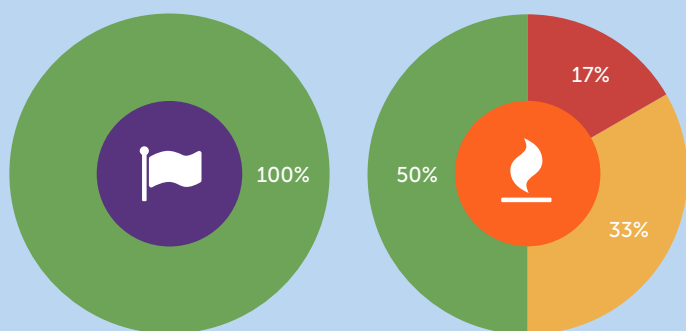
2. GET ORGANISED!

For UK civil society, crunch-time came when they realised the narrow scope of the first National Action Plan. ‘From our perspective there was too much emphasis on Open Data and the development of the Action Plan didn’t allow for a participatory consultation process. There were lots of other bits that were missed and should’ve been included,’ says Simon Burrell of Involve. After April 2012 a number of organisations came together and collectively sent a letter to the Minister for the Cabinet Office, Francis Maude, lobbying for a different trajectory. Since then, civil society has

been better coordinated, finding the funds to enable Involve to coordinate and drive forward civil society efforts. This has helped to make the whole OGP process better organised and more structured and has led to a jointly developed ‘revised’ Action Plan.

The experience of Ukrainian civil society of establishing constructive dialogue with government also highlights the need to ensure civil society organisations are well organised and coordinated in good time in terms of their strategy and advocacy. With only six months to prepare the plan, the Ukrainian government chose to hold consultations, soliciting inputs through its extensive and established network of civic councils. These comprise organisations that have traditionally advised government at the local level. The Civic Partnership, a coalition of 50 CSOs that had been excluded from the consultations, vehemently rejected the ‘400 or so submissions’ the government claimed to have received.

‘We realised this was a rushed pseudo-consultation and the government was avoiding a meaningful dialogue and critique. We couldn’t support the plan because it didn’t reflect the real needs of the Ukrainian state,’ says Oleksii Khmara, President of the TORO Creative Union. The Civic Partnership subsequently sent open letters to the President and Prime Minister and sought support from the World Bank and United Nations to facilitate a dialogue with the government. Following a four month-long advocacy campaign, which involved preparing a shadow action plan and organising fresh consultations, the final document produced jointly by the Coalition and government



Government (🇺🇦) vs civil society (🇸🇰) perceptions of the enthusiasm and engagement of CSOs participating in action plan development

- GOOD ●
- FAIR ●
- POOR ●

took on board 80% of civil society’s demands. ‘We finally managed to shape the conditions for a dialogue, which has been beneficial to both sides,’ says Oleksii.

The emphasis in Mexico – the next co-chair of the OGP – has been on improving the overall quality of the second Action Plan: getting organised to ensure commitments are more strategic and greatly transform public management. ‘We are focusing our time and energy on developing a relationship with the new federal administration in order to continue our work on the OGP and to integrate our priorities in the new Action Plan,’ says Gabriela Segovia of IFAI.

In the United States, the Open the Government (OTG) Coalition already had a solid working relationship with both the Bush and Obama administrations focused on making government more open and transparent. The OGP presented a good opportunity for the domestic community to start building upon this foundation and engaging on another level. ‘We seized the role of coordinating and engaging broader civil society and some international organisations to help influence the creation of the National Action Plan,’ says Patrice McDermott of the OTG. While civil society in the US acknowledges much has been achieved in terms of how it mobilised and organised itself around the various commitments, the emphasis next time will be on ensuring the plan has fewer commitments that go deeper and have more meaningful impacts. It has also learned that if the process is not pushed from the outside, very little happens. ‘We cannot just sit back and expect things to happen,’ says Tom Blanton of the National Security Archives.

For civil society to be effective, it needs to be knowledgeable, proactive and organised. Furthermore, civil society involvement has been most meaningful and substantive when coordinated by a nominated agency or ‘driver’ that has the necessary skills, time and acceptability, and is looking beyond its own agenda. Having a dedicated person(s) who is financed in equal parts by the CSO community builds ownership and professionalises the role.

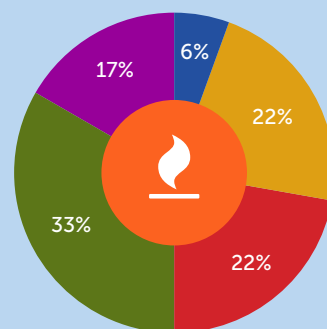
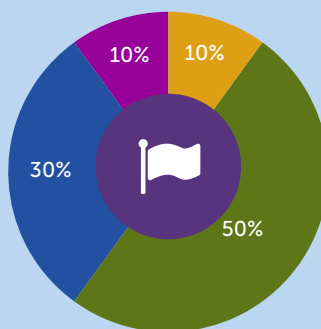
3. ESTABLISH A PLATFORM FOR DIALOGUE

The draft Action Plans of both Mexico and Indonesia (two of the eight founding members) were highly criticised by civil society for being too general, too broad and not very strategic, and for reflecting very few civil society proposals or perspectives.

In Mexico, a process of intense discussion started between a coalition of civil society organisations, IFAI (Federal Access to Information and Data Protection Institute) and the Ministry of Public Administration – in the shape of the OGP Tripartite Technical Secretariat (TTS) – to develop a ‘Reinforced or Extended Action Plan’. The TTS was set up to act as a permanent and institutionalised decision-making, monitoring and compliance body for the OGP and has proved to be an effective platform for ongoing dialogue and a good mechanism for steering and monitoring the OGP process in Mexico.

How much of civil society (🔥) input is reflected in governmental (🚩) national action plan?

- ALL
- MOST
- HALF
- SOME
- DON'T KNOW



WHY ARE POLITICIANS INTERESTED IN BECOMING OGP MEMBERS?

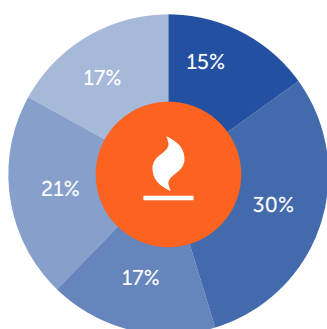
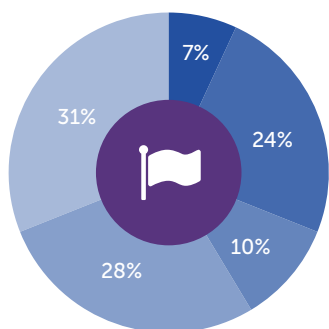
For some, it's about sharing the vision of deepening democracy and bringing good governance to the people. This includes, among other things, improving the delivery of state institution services and getting citizens to have a greater say in the provision of these services. But it's also about restoring the trust of citizens in their government and their politicians. The OGP is seen to providing support, as well as pressure, for reform from within.

Membership enables politicians to join a global network in which they can swap knowledge and experience. It offers learning opportunities and the material to support advocacy.

Some are looking for innovation. OGP offers new ways to break rigid and bureaucratic mechanisms and to improve collaboration between government and society. The technological innovation related to open data enables politicians to further their domestic e-agendas. Innovation around open data can also spur substantial new business opportunities.

Undeniably, enhancing one's image internationally and 'grasping a photo opportunity with President Obama' has been part of the mix.

Substantively, while many countries have had strong and vibrant civil society actors working on issues of right to information, transparency and accountability, the OGP has in many instances provided a platform for government to formalise a coherent agenda for change.



Motivation for governmentals (🚩) to get civil society (🔥) involved in the action plan process?

- PR/PUBLICITY
- OGP REQUIREMENT
- GOOD TO DO
- TO LISTEN TO VARIOUS VIEWS OF STAKEHOLDERS
- TO MAKE BETTER & MORE INFORMED DECISIONS

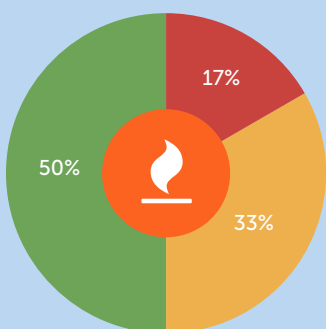
The Indonesian experience has been trickier, with some civil society organisations feeling excluded from the government-selected Core Team working on the Action Plan. Despite continuing debate over the current role of civil society within and outside the Indonesian OGP process, ‘the voice of civil society, within both Indonesia and ASEAN, is critical and we shouldn’t be sidelined if participation is to have real meaning,’ advocates Maryati Abduallah of Publish What You Pay.

The OGP experience in Ghana has been marked by a number of ‘stops’ and ‘starts’; the presidential election has dominated the national agenda and been the focus of government officials and civil society. However, soon after the OGP Brazil conference, the ball started rolling and the process of setting up the Ghanaian OGP steering committee gathered momentum. The government adopted a dual strategy for dialogue and gaining CSO representation – the Coalition of Civil Society was consulted and certain organisations were directly approached to nominate ten representatives to sit on the OGP National Steering Committee, which had a total of 20 members. In addition to meeting six or seven times at the outset to prepare the draft Action Plan, the entire committee went on a two-day retreat outside Accra. ‘This really helped us to establish ourselves as a team before we hit the road,’ says Vitus Azeem of Ghana Integrity Initiative.

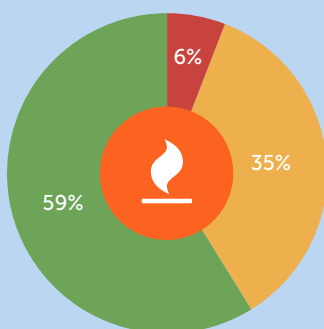
The willingness to work together is clearly evident and both civil society and government acknowledge that proper dialogue requires a lot of effort if maximum benefit is to be derived. ‘We have learned that for the OGP to run smoothly and efficiently, government commitment is critical, CSO participation is essential and a well-resourced and functioning secretariat is vital,’ says Effie Simpson Ekuban of the OGP Secretariat. Perhaps the stage is now set for Ghana to finally pass the Right to Information bill that has been languishing in the halls of parliament for the past ten years.

A key success of the Peruvian civil society experience has been the chance to be involved in the setting of public policy from the very beginning of the process. This has happened through participation in the working group, which has served as a solid platform for dialogue. In addition, civil society achieved an important victory with the formalising of OGP processes. A Supreme Decree, signed by the President, Prime Minister and Chancellor, set up a permanent Multi-Sectoral Commission responsible for handling these processes. ‘This has validated civil society participation and with this comes a higher level of security and commitment,’ says Samuel Rotta of Proetica.

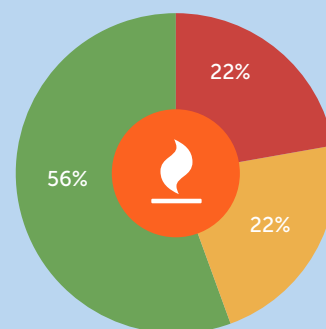
THE CSO PERSPECTIVE:
Overall quality of civil society participation during action plan development.



THE CSO PERSPECTIVE:
Quality of government receptiveness to action plan input from civil society organizations



THE CSO PERSPECTIVE:
Possibility for civil society organizations to have continued positive input into national action plans.



LEGEND: ● GOOD ● FAIR ● POOR

Civil society engagement should start from the very first day and the membership of the working groups or steering committee should be broadly representative. Members should be sought in an open and transparent way, using processes such as self-selection, invitation, application and election. If such platforms are institutionalised, this further validates the contributions and enhances their security, making them more robust to political and regime changes. The emphasis should be on creating an ongoing open dialogue rather than bringing in civil society for a one-off consultation.

4. CONSULT WIDELY

For the Latin American countries, the challenge has involved broadening participation to all levels of government and civil society, while paying attention to multicultural, multi-lingual and multi-ethnic populations. These countries also acknowledge that next time around their consultation processes should be much more inclusive, extending beyond the 'elite' and the 'usual suspects'. To date, the emphasis has been on investing in strengthening and formalising the relationship between civil society and government, building on what has been accomplished thus far.

In Mexico, the decision not to go 'fully public' with the consultations was motivated by two important constraints: the timing and the time frame. With little time to prepare the document and with the Action Plan spanning only 12 months, the Tripartite Technical Secretariat focused on ensuring that the commitments and actions were realistic, measurable and achievable. For subsequent Action Plans a broader, more inclusive process is envisioned.

In Brazil, technology has been used to engage many more citizens in the dialogue. Using the e-Democracia website, online discussions moved on from assessing the implementation of the first National Action Plan to providing the opportunity to submit new commitments, to finally asking participants to vote and choose key proposals that government should prioritise. To broaden civil society engagement, participation has been actively sought among unions, NGOs, social movements (e.g. LGBT community and afro-descendants), faith-based organisations, students, academia, media and open data groups. Furthermore, quotas for representatives of different regions and states have ensured

geographic inclusion. However, civil society has been critical of the extent to which suggestions made are ultimately included in the Action Plan and of the limited feedback it has received from government.

In Kenya, the new administration of President Uhuru Kenyatta has put technology and being 'digital' at the heart of its strategies, thus offering many new windows of opportunity. To promote the open government agenda, civil society has been pushing these principles into priority sectors such as education, health and the environment. 'We really want transparency and accountability to be mainstreamed throughout government and in all structures using technology as a tool to increase opportunities for citizen participation,' says Gladwell Otieno of AfriCOG.

In Ghana, with general elections looming ever closer, the Action Plan consultations, taking place in three regional zones, were squeezed into a two-month period. The Ghanaian OGP action plan steering committee was encouraged to go into the field. This is where the groundwork was done spreading the OGP message and gathering inputs on the proposed commitments. Each event attracted 40 to 60 participants from political parties, the public service, CSOs and the media, as well as traditional and religious leaders. In many instances, journalists were present in overly large numbers. 'Traditional media is still very strong and influential in Ghana and we wanted the launch event and the zonal meetings to be covered by the newspapers, radio and TV,' says Emmanuel Kuyole of Revenue Watch Ghana. While the steering committee was generally satisfied with the inputs received, the number of participants was considered low. Limited financial resources as well as a lack of sufficient time were cited as major concerns. 'Ideally, we should have covered all ten regions and not have held the consultations so close to the elections,' reflects Vitus Azeem of the Ghana Integrity Initiative. Even though the consultation was not as deep as desired, Ghana is one of the few countries that made a real effort to include citizen voices.

In the Netherlands, with its strong track record of making information proactively available to its citizens, and where many 'checks and balances' are already in place, government has been challenged by the lack of (a network of) organisations working on governance issues at the national level. 'Unlike in many other countries, in the Netherlands not a lot of people are worrying about making government more open, and

they are exerting very little pressure in our direction,' says Mirjam Kalverda of the Ministry of Internal Affairs. The various consultations for the OGP have revealed that citizens want to communicate more openly with government and that they want information to be more forthcoming and easily accessible, especially with regard to things in their immediate surroundings. 'The energy and interest lies with citizens [more than with professional organisations] and what is important is to start pilot or experimental projects at local level, working with municipalities and neighbourhood committees,' says Marjan Delzenne of the Centre for Budget Monitoring and Citizen Engagement.

A 'one size fits all' strategy of consultations is inadequate. In general, the broader involvement of actors, drawn from both civil society and government, will make the process more inclusive, more robust and can ultimately raise the final quality of the commitments and activities. Such involvement builds a broader community of reformers that foster a shared 'open government' agenda. The whole process relies heavily on the development of strategies – and the sincere willingness – for gathering inputs and comments, discussing, providing feedback and including suggestions.

5. BUILD PARTNERSHIPS

In the two Asian tigers – Indonesia and the Philippines – the OGP has been embraced. In Indonesia it has become part of the government's Good Governance and Anti-Corruption Plan, and in the Philippines it has been adopted within strategic initiatives. However, in both countries, civil society efforts to build constructive partnerships with government concerning the OGP Action Plan process are ongoing. This hinges very much on agreeing priorities and finding common ground.

In the Philippines, the long overdue Freedom of Information (FoI) bill has become the primary focus of civil society advocacy. 'Access to information is a fundamental tenet of the OGP, a value that underpins all the participant countries' commitments,' says Annie Geron of the Right to Know, Right Now! campaign. While government acknowledges the importance of the bill, it considers the existing Good Governance and Anti-Corruption Plan sufficient to enable meaningful freedom of information.

Whilst debate continues in Indonesia over whether civil society should maintain its watchdog role rather than get involved in the government-selected Core Team, it remains important that government and civil society find a balance that leads to a constructive working partnership concerning OGP.

Usefully, experience in the UK and US shows how a positive partnership between civil society and government can be fostered, and can lead to a jointly developed, relevant and ambitious National Action Plan. In the UK, the road to developing the revised National Action Plan, as explained above, has facilitated an improvement, over the course of 2012, in the relationship between government and civil society; it has become a more substantive partnership. 'I am really proud of how we're working together – being open, honest, consistent and coherent about identifying shared areas of interest and objectives,' says Ilaria Miller of the UK Cabinet Office Transparency Team.

In the US, the pre-existing relationship between civil society and government concerning open government greatly helped to build a solid partnership. The OGP presented a good opportunity for the domestic community to take this relationship further and engage on another level. Whilst more can be done to improve the next National Action Plan, civil society is aware of the challenges that lie ahead and is planning for them. 'The administration has many shifting priorities and sometimes things fall off the radar. Civil society needs to be well informed,' says Tom Blanton of the National Security Archives. Taking up the lessons learnt so far from the OGP process in these countries increases the likelihood that civil society and governments will collaborate in open government partnerships that are productive and energetic.

In many cases, countries are engaged in growing the body of reformers at national and international level to create a vibrant and healthy society. It takes time and effort to build trust and a working relationship between government and civil society. Understanding of one another is required. The actors must listen to and appreciate various viewpoints, keep an open mind whilst thinking critically, and must work towards constructive engagement. Civil society is often pulled in two directions for it also has a role as watchdog. As a partner, it sometimes struggles to find the common ground, to meet the needs and interests of both parties. Building a partnership, in short, is a difficult and time-consuming process.

CONCLUDING REMARKS

'When a government invites its people to participate; when it is open as to how it makes decisions and allocates resources, administers justice and takes a firm stand against corruption, that government is more likely to succeed in implementing effective policies and services to its people.'
(Hillary Clinton, Open Government Partnership meeting, July 2011)

The OGP has, in many instances, facilitated the creation of a platform between government and its citizens. Here, these parties can come together and develop a National Action Plan with a common agenda of commitments and actions that will further transparency and accountability. The level of collaboration that the OGP aspires towards can only be seen as an attempt to counter the dichotomous trend of increasing openness on the one hand and increasing secrecy on the other. This process of 'sitting down together' has in itself been valuable and for many is something new. For government, it has been about improving and adopting new, modern standards of participatory democracy and bringing the voice and demands of the citizen to the table, often overlooked by the state, with the objective of improving the quality of service delivery.

For civil society, it has been important to learn that within the state there are civil servants who are just as interested as non-government actors in promoting openness and accountability, even if much work remains to be done. There is much civil society can learn from the last 18 months about the diverse OGP experiences and the improvements necessary to maximise the outcomes of the consultation process. These lessons should enable civil society to promote the added value of open government principles.

Ultimately, civil society needs to be much more knowledgeable about the issues. It must be proactive and well organised and must become much more professional when communicating with government. 'We cannot be weak and passive. If we sleep, the country will sleep,' concludes Oleksii Khmara of the Ukraine.



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GHANA

STRIVING FOR A CO-CREATION PROCESS



The late President John Atta Mills signed Ghana up to the OGP in September 2011, after which there was a prolonged period of inertia. It took a long time for the information to trickle down to the relevant ministry. 'The initiative was treated as a foreign affairs issue. Knowing more about the OGP, we kept pushing behind the scenes and just weeks before the deadline of April 2012, government convened a meeting with the help of the World Bank,' Emmanuel Kuyole of Revenue Watch Ghana recalls. The OGP found its home within the Public Sector Reform Secretariat (PSRS), which is part of the Office of the President. 'We hurriedly assembled an ad hoc working group made up of relevant government agencies and civil society representatives and put together a report for the international OGP conference in Brasilia,' explains Effie Simpson Ekuban of the OGP Secretariat. Although government was unable to attend, civil society

was represented by Vitus Azeem of the Ghana Integrity Initiative.

BUILDING A TEAM

Soon after the Brazil conference, the ball started rolling and the process of setting up the steering committee gathered momentum. Government adopted a dual strategy for gaining CSO representation - the Coalition of Civil Society was consulted and certain organisations were directly approached to nominate ten representatives to make up the committee, which had a total of 20 members. Says Effie,

'The Coalition is a credible group and I believe civil society increasingly realises that interaction with government is much more effective when they're organised.'

Civil society is represented on the committee by various national

and international development NGOs and organisations working on governance and transparency issues as well as by the Christian and Muslim Council of Ghana. All these bodies have the responsibility of informing and involving others in their respective professional networks. 'All the members are based in Accra but many have offices and branches in the regions and districts. At present membership is not balanced in terms of gender,' observes Emmanuel. In addition to meeting six or seven times at the outset to prepare the draft plan, the entire steering committee went on a two-day retreat outside Accra. 'This really helped us to establish ourselves as a team before we hit the road,' says Vitus.

The steering committee appointed the Institute of Democratic Governance to draft the Action Plan. 'We received financial support from the World Bank and we decided to

'The document is the product of the steering committee and is fully owned by it. We feel our inputs and knowledge have been integral and appreciated.'

- Vitus Azeem of the Ghana Integrity Initiative

contract this task out to a consulting agency. They worked closely with us, gathering content from all the members. This enabled us to make optimum use of our own time,' says Effie. With general elections looming ever closer, the consultation process in the three zones was squeezed into a two-month period starting in mid-October. Steering committee members were encouraged to go into the field. This is where the groundwork was done spreading the OGP message and inputs on the proposed commitments were gathered. Each event attracted 40 to 60 participants from political parties, the public service, CSOs and the media, as well as traditional and religious leaders. In many instances, journalists were present in overly large numbers. 'Traditional media is still very strong and influential in Ghana and we wanted the launch event and the zonal meetings to be covered by the newspapers, radio and TV,' says Emmanuel. While the

steering committee was generally satisfied with the inputs received, the number of participants was considered low. Limited financial resources and lack of sufficient time were cited as major concerns. 'Ideally, we should have covered all ten regions and not have held the consultations so close to the elections,' reflects Vitus.

Soon after the consultations, the steering committee held a validation workshop in the capital in order to refine all the inputs prior to finalising the Action Plan. While this event was well attended by the major development partners and CSOs, attendance by government agencies was sub-optimal. 'By this time, the election process was revving up and many top government officials were holding the fort for their political bosses who were occupied elsewhere,' says Effie. Similarly, civil society organisations working on governance issues were actively

engaged in the monitoring of the whole election process. From the end of November to Mid-January, little was done as the new president was inaugurated and his administration assumed its duties. The Minister of State retains his portfolio for overseeing the OGP, thereby providing much-needed continuity from one administration to the next.

While there has been no formal evaluation of the consultation process, both civil society and government feel it provided a good opportunity for developing and validating the ideas of the steering committee. The Action Plan outlines activities to be implemented by government with the strong support of civil society. To date, the entire process has been a joint exercise and for government the impact of this has been very positive. 'The document is the product of the steering committee and is fully owned by it. We feel our inputs

'We have learned that for the OGP engine to run smoothly and efficiently, government commitment is critical, CSO participation is essential and a well-resourced and functioning secretariat is a vital cog in the machine.'

- Effie Simpson Ekuban of the OGP Secretariat

and knowledge have been integral and appreciated,' says Vitus.

Once the Action Plan has been signed off by the OGP steering committee, the implementation process will start in earnest. One of the issues on the table is a review of the membership of the steering committee. 'Regular attendance is important and those not participating will be either replaced or dismissed,' says Effie. Involving the media in a more strategic and structured way is also being considered; the question of how the media can genuinely foster participation, transparency and accountability is being addressed. The second objective is to popularise the Action Plan among other development partners, especially those working on public sector reform, and other stakeholders.

The process in Ghana started slowly but has embraced the principles

of collaboration and inclusive participation. A willingness to work together is clearly evident and both civil society and government acknowledge that consultation requires a lot of effort if maximum benefits are to be derived. 'We have learned that for the OGP engine to run smoothly and efficiently, government commitment is critical, CSO participation is essential and a well-resourced and functioning secretariat is a vital cog in the machine,' says Effie.

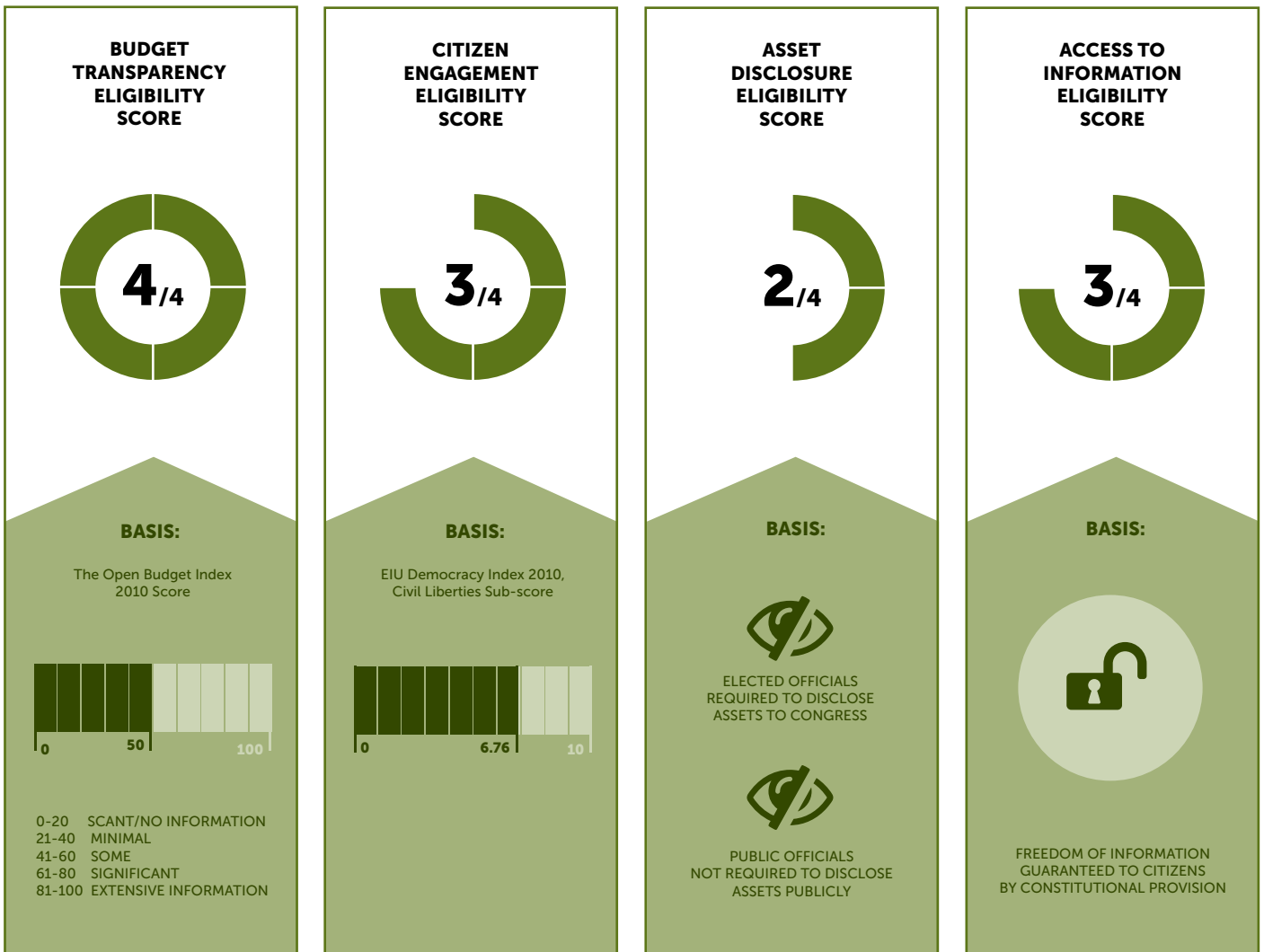
🔗 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

OGP MEMBER SINCE:
April 2013

CURRENT STAGE:
1st Action Plan

OGP SITE:
<http://www.ghanaopengov.org/>

GHANA OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 12/16



INDONESIA

TIME FOR MORE PROACTIVE ENGAGEMENT AND BETTER ACCESS TO INFORMATION

Open government is one of the key strategic initiatives of the government of Indonesia. As an incubator for new and innovative ideas, the UKP4, also known as the President's Delivery Unit (PDU), is responsible for ensuring that all key promises and strategic programmes declared by the President and Vice President are delivered by government departments and felt by the public. In late 2010, discussions about the Open Government Partnership were already getting underway in Indonesia between U.S. White House officials and Minister Kuntoro Mangkusubroto. Like other OGP founding members, Indonesia has been instrumental in laying the foundations of the OGP, both domestically and internationally.

Among CSOs in Indonesia, the initiative was seen as accelerating the national agenda in three key areas: implementing the Freedom Of Information Act (FOI),

improving public services, and increasing public participation. 'As an organisation working on human rights, democracy and access to information, we heard about the OGP through the freedom of information network. In the beginning we were really excited about it,' says Tanti Budhi Suryani of the Tifa Foundation.

ENGAGING CIVIL SOCIETY

In July 2011, with stringent timelines for developing the first OGP National Action Plan, the PDU made the decision to select a handful of civil society organisations to join the Core Team.

'There are hundreds of CSOs in Indonesia. We wanted organisations with a proven track record, experience and relevance in the field but no affiliation to any political party.'

explains Tara Hidayat of the PDU. Four CSOs (Indonesian Center for Environmental Law, Transparency International Indonesia, Indonesia Forum for Budget Transparency (FITRA), and the Center for Regional Information & Studies (PATTIRO)) and five government departments were invited to form the Core Team, which is responsible for the planning, programme management, monitoring and evaluation of the open government initiative. Membership was restricted deliberately – and affiliates were required to act as both information hubs and role models for other CSOs and government departments.

Some civil society organisations felt the selection process of the Core Team's CSO members was less than perfect. 'The process wasn't participative. Government just appointed them. Our greater concern, however, is their role in relation to the Action Plan and how the three main agenda points are

'The process wasn't participative. Government just appointed them. Our greater concern, however, is their role in relation to the Action Plan and how the three main agenda points are fulfilled,' - Tanti Budhi Suryani, the Tifa Foundation

fulfilled,' says Tanti. For government, it was more a case of 'let's make a start and see how it goes. We now know it should be done differently,' Tara reflects. One of the first responsibilities of the Core Team was to draft the Action Plan, which was done in conjunction with members of the National Planning Commission (Bappenas). The first draft listed 12 key actions.

The consultation process that followed included over 30 focus group discussions in nine provinces and eleven cities. These were conducted by the University of Indonesia for the purpose of raising awareness and helping citizens to understand open government. Parallel processes took place within government agencies and civil society. During July and August, a series of workshops was held with various stakeholders (government, media, private sector, NGOs) and inputs were solicited via the Indonesia open government

initiative website (www.opengovindonesia.org) and through Facebook and Twitter. Government and civil society concur on the need to continuously raise awareness of open government principles, especially in the provinces. The strategies used have included quarterly knowledge forums, roadshows, national competitions and 'Right to Know' days.

The first Action Plan outlined a Triple Track Strategy: Track 1 - to accelerate the implementation of the Law on Public Information; Track 2 - portal development (One Service, One Government, One Map) to aid information disclosure and promote public participation; Track 3 - pilot projects and new initiatives. Responsibility for implementing all the commitments outlined in the first Action Plan, with the exception of the Pilot Project, has been assigned to government. The Pilot Project seeks to establish best practice models

for openness in the provision of services to citizens. It will draw on initiatives designed to put open government into practice at the local and regional level. Responsibility for implementing these initiatives lies with the CSO Core Team, which will be acting in partnership with regional and local government agencies.

CRITIQUING THE FIRST ACTION PLAN

By September 2011, the final Action Plan of 38 commitments had developed organically from the 12 original commitments. According to Maryati Abdullah, a Core Team member at the time, the Action Plan was very broad, too ambitious and contained far too many actions. The majority of the actions can be classified as ongoing programmes, meaning the Action Plan did not contain enough new efforts to promote transparency. 'New transparency projects need

'It's a challenge for government officials to move beyond their comfort zone and accept that information is a human right and should be owned by the public.'

- Tara Hidayat, President's Delivery Unit

new budgetary allocations from the respective ministries. These were not included either because they missed the boat in the budget cycle or because they were not seen as a priority. The government must overcome this obstacle in time for the next Action Plan,' says Mary.

The Independent Monitoring Group, a consortium of CSOs working on transparency and human rights, closely monitored the implementation of the Action Plan. It published its findings in The Independent Report on Open Government Partnership in Indonesia, 2011. For Track 1, their evaluation of the Ministry of Communication and Informatics indicates that only 40% of state institutions at city and districts level have conformed to the FOI Act. They regard the model developed by the PDU for Track 2 as being too simplistic. Their recommendation is that an internet-based programme called PLIK be used. Developed

by the Ministry of Informatics, this software has been tried and tested in 5,900 districts. They believe that with some additional modifications, this software could become a model for genuine public participation, as opposed to the 'click activism' promoted by the PDU's portal.

For a country with a multi-ethnic population of 240 million spread over 13,000 islands, the challenges are many: how can general awareness of open government and its importance be raised; how can its ownership be fostered; how can the message be spread to both the various state institutions and the public; how can public participation be fostered; and how can constructive government engagement with citizens be brought about. Changing the mindset of government officials is no easy task. Getting them to share information is an ongoing struggle and one that will take time. 'It's a challenge for government officials

to move beyond their comfort zone and accept that information is a human right and should be owned by the public,' says Tara.

LOOKING AHEAD

Looking ahead to the next phase of the OGP process in Indonesia, a number of changes is being proposed. Membership of the Core Team will soon be extended to two vital ministries: the Departments of Home Affairs and Bureaucracy Reform. In addition, a further three CSOs will join the team. 'We are currently drafting the selection criteria and the application process and considering the timelines,' explains Tara. In an attempt to improve levels of participation and coordination and to increase the accountability of all Core Team members, the modus operandus of the meetings, held every two months, is being reviewed. It is proposed that the Chair and venue of the meetings be rotated.


'the voice of civil society, within both Indonesia and ASEAN is critical and we shouldn't be sidelined if participation is to have real meaning.' - Maryati Abdullah, Core Team member

This should instil a greater sense of responsibility and ownership among team members.

With preparations for the second Action Plan in full swing, the role Indonesian CSOs should ideally fulfil remains a topic of discussion. OGP is a multi-stakeholder initiative. Accordingly, some believe that CSOs should become more proactive and should assume their role as equal partners – setting the OGP agenda, and building alliances within government – alongside civil servants in departments keen to embrace and promote the ethos of open government. However, others want CSOs to become more critical. They would be happy to see those outside the Core Team taking on a monitoring role and making policy recommendations, while core team members would have a consultative function. Either way, 'the voice of civil society, within both Indonesia and ASEAN is critical and we shouldn't be

sidelined if participation is to have real meaning,' advocates Mary.

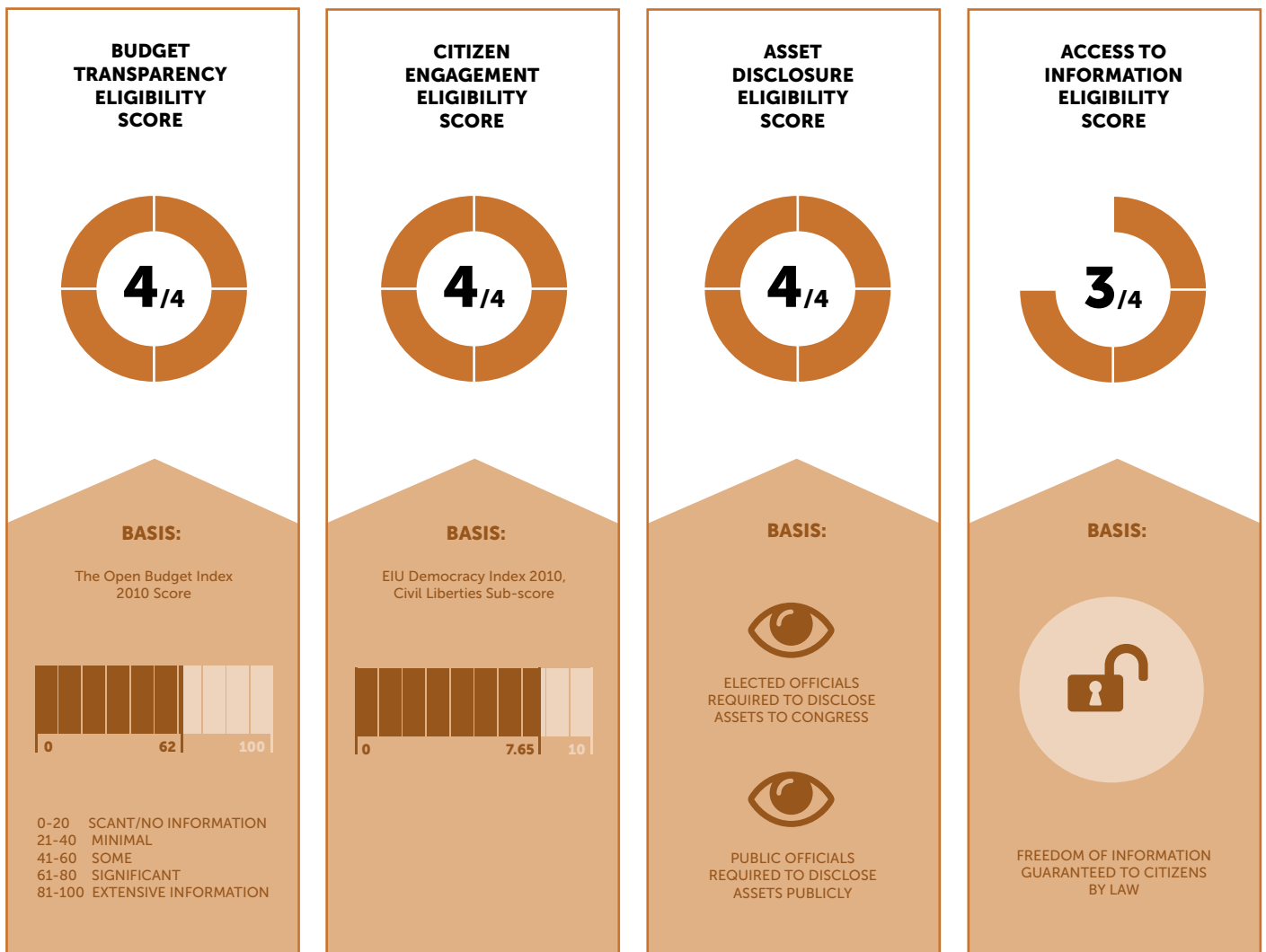
🔗 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

 OGP MEMBER SINCE:
September 2011

 CURRENT STAGE:
2nd Action Plan

 OGP SITE:
<http://opengovindonesia.org/tentang-kami/open-government-partnership/>

INDONESIA OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 15/16



MEXICO

PRIORITY IS TO STRENGTHEN AND DEEPEN THE RELATIONSHIP

The Federal Access to Information and Data Protection Institute (IFAI) is one of the world's formative and most respected Right to Information (RTI) establishments and it was instrumental in developing and shaping the OGP. 'Back in 2010, one of our Commissioners was invited by the White House to share her expertise,' says Gabriela Segovia of IFAI. As an independent unit charged with monitoring the application of the Federal Access to Information Law (FOIA) and appeals lodged in respect of it, IFAI has been well placed to take forward the OGP, both within Mexico and internationally. Following consultative talks with the Ministry of Foreign Affairs, other units of federal government and with CSOs in August 2011, a draft Action Plan was discussed and proposed. 'IFAI invited a number of CSOs to provide inputs and possible commitments that were relevant and feasible for government to execute within a one-year time frame,' explains

Alejandro Gonzalez of GESOC. The 'coalition' of the remaining eight specialist organisations compiled over 100 commitments taken from agendas they were already working on – in the areas of transparency, accountability and RTI – and suggested these to the federal government. Mexico's National Action Plan was presented together with the Action Plans of the other seven founding member countries in September 2011.

'After the launch in New York, we discovered that most of our inputs had not been incorporated in the Action Plan, and we didn't consider the document to be authentic,'

says Alejandro. The CSOs were critical and considered the Action Plan to be too general, too broad and not very strategic. Furthermore, the document hardly reflected any CS proposals or perspectives.

'We were constrained by time and also lacked the experience and methodology needed to develop the Plan,' Gabriela recalls. Thereafter a process of intense discussion started between the Coalition, IFAI and the Ministry of Public Administration – in the shape of the OGP Tripartite Technical Secretariat (TTS) - to develop the 'Reinforced or Extended Action Plan'. The TTS was set up to act as a permanent and institutionalised decision-making, monitoring and compliance body for the OGP.

CONSULTATIONS

Since its inception, IFAI has acted as an intermediary and facilitator between government and civil society. The consultation process for the Extended Plan commenced in December 2011 and was limited to the eight CSOs; all are based in Mexico City but work extensively in different states of the country. These organisations

'For the second Action Plan, we want to have fewer commitments but those that are more strategic and have strong capacity to transform public management.'

- Alejandro Gonzalez, GESOC

are recognised, experienced and independent. They bring analytical and critical skills to the table. 'We represent ourselves but we have been working as a consolidated community of practice for the past eight to ten years,' explains Alejandro. From the start, the TTS has had ongoing discussions about broadening the representation to other levels of government and to include other CSOs.

The decision not to go 'fully public' with the consultations was motivated by two important constraints: the timing and the time frame. With little time to prepare the document and with the Action Plan spanning only 12 months, the TTS focused on ensuring that the commitments and actions were realistic, measureable and achievable.

'To ensure our efforts are well coordinated, we have appointed someone from the FUNDAR

organisation to be the formal civil society representative on the TTS,' explains Alejandro. This position is for a fixed term and will work on a rotational basis. A part-time assistant is also being appointed to support the coordinator, a post that will be financed in equal parts by the eight CSOs. In addition, each CSO has appointed a staff member in order to define and lead the consultation process for the new Action Plan, which is likely to have eight thematic areas or clusters.

In late 2012, Mexico held national elections and the country now has a new government. Says Gabriela,

'With a new federal administration in place, we are focusing our time and energy on developing a relationship with them in order to continue our work on the OGP and to integrate the new Action Plan.'

The TTS also recognises the importance of preserving what has been developed: strengthening and deepening the relationship and improving the quality of the commitments. The contact with President Enrique Pena Nieto's team to date has been positive and the TTS has shared the results and lessons learned from implementing the first Action Plan. The results of the joint government/civil society evaluation revealed that only two commitments had not been fulfilled (21 were completely fulfilled and 15 were partially fulfilled). 'The overall quality was below par. For the second Action Plan, we want to have fewer commitments but those that are more strategic and have strong capacity to transform public management,' says Alejandro.

A stakeholder analysis is currently being undertaken, identifying key players in each cluster. In June/July 2013, discussions will commence with NGOs, academia, the media,

'OGP has been about participation. Although it was difficult to define a methodology, we have learned a lot from trying things out and making the necessary mistakes. In fact, we have learned more from these than from our successes.' - Gabriela Segovia, IFAI

the private sector and government agencies to develop specific result-oriented commitments that have the capacity to transform peoples' lives. 'The round table discussions will be highly participatory, involving public officials and the results will be published online,' says Alejandro. A website (www.aga.org.mx) was created at the outset and it has been actively utilised for hosting and sharing information. To date, the media has not been fully aware of the OGP and it has not been possible to generate media excitement about the initiative. OGP is often misunderstood; it is seen as a new thing that is complex and primarily about information technology. Plans are underway to engage the media in a more formal and structured dialogue in order to address these misconceptions and to bring about more substantive involvement.

Private sector engagement has also been minimal but

is important for the future. Increasing the transparency of procurement procedures is vital to addressing corruptive practices. According to Gabriela 'there are a number of CSOs that work with the private sector on enhancing transparency, and it is important that we create space for them on the OGP platform.'

KEY LESSONS

The Mexican experience has been enriching and many important lessons have emerged. Firstly, in order to have significant involvement in the OGP action-planning process, CSOs that are willing to engage must have enough resources (time, financial, personnel and knowledge) to sustain their participation. Secondly, it has been useful for CSOs to be part of various networks (national and international) in order to boost the whole process and to bring pressure to bear where necessary.

Thirdly, the TTS has proved to be an effective mechanism for steering and monitoring the OGP process in Mexico. Fourthly, raising the awareness of the OGP within government agencies and within civil society must be an ongoing process. Lastly, the TTS has provided a valuable space in which the relationship between all three actors has been equal and horizontal, and managed according to a consensus model. 'OGP has been about participation. Although it was difficult to define a methodology, we have learned a lot from trying things out and making the necessary mistakes. In fact we have learned more from these than from our successes,' concludes Gabriela.

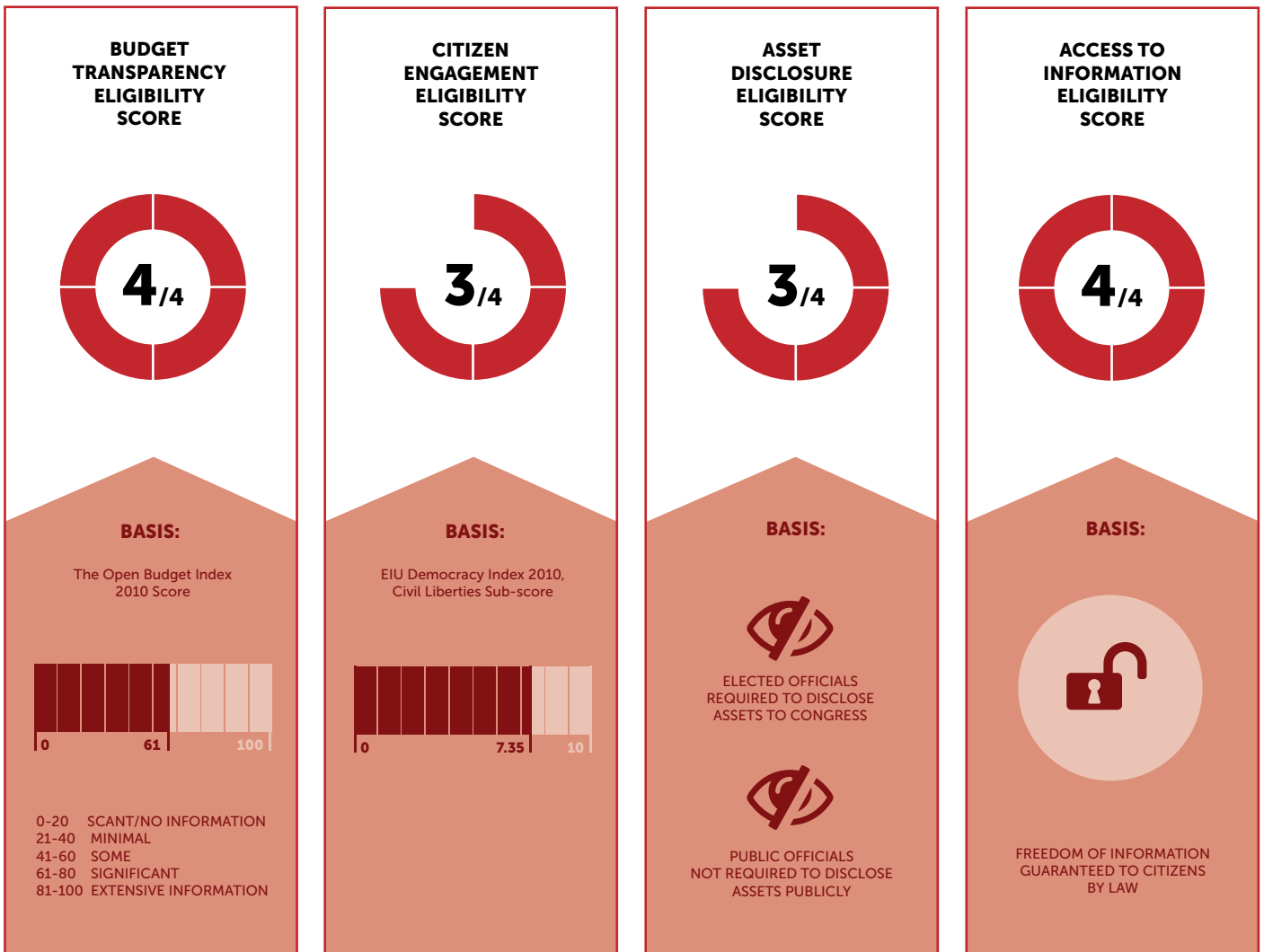
🔗 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

OGP MEMBER SINCE:
September 2011

CURRENT STAGE:
2nd Action Plan

OGP SITE:
<http://aga.org.mx/SitePages/Principal.aspx>

MEXICO OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 14/16

MOLDOVA

INFUSING MOLDOVA'S DEVELOPMENT AGENDA WITH THE PRINCIPLES OF OPEN GOVERNMENT

The government of the Republic of Moldova embarked on its e-Transformation agenda in 2010. This agenda involves a commitment to implementing Information Communication Technologies (ICT) with the aim of transforming the economy and governance. This will be achieved by driving sustainable economic growth based on strengthened competitiveness, by building strong human capital, by facilitating social inclusion and by improving public sector governance. Following eight years of communist rule, the new pro-European government prioritised civil society participation and the promotion of democracy and human rights in its broader development agenda. Moldova joined the Open Government Partnership in 2011 in order to enhance collaboration between citizens, civil society, the private sector and government with a view to promoting and ensuring open and innovative government

through the use of ICT. The Open Government Initiative is embedded in the Governance e-Transformation agenda.

The e-Government Centre, an institution of State Chancellery responsible for the e-Transformation and Open Government Agendas, presented the draft Action Plan at the first round of public consultations.

'We decided to present the first draft in order to start from something rather than nothing. During the consultations we were open to completely revising the draft in response to the wishes of civil society.'

reflects Irina Tisacova, Open Government Coordinator at the e-Government Centre. The consultation process with civil society organisations was intense,

involving round-table and tête-à-tête meetings. 'The issues related to open government were still emerging in Moldova, and the level of understanding, awareness and capacity of civil society organisations in this field was low. Civil society considers the approach taken by the e-Government Centre to have been appropriate to the context,' says Veronica Cretu, coordinator of the working group on e-Government/Open Government within the National Participation Council, a group set up soon after Moldova approved its Action Plan in April 2012.

Stringent timelines were another constraint. Veronica Cretu highlights that, 'Ideally, the consultation process should have had several phases – a pre-elaboration stage to raise general awareness, consultation phase and finally a decision-making stage in which all feedback is considered and stakeholders have an opportunity

“The issues related to open government were still emerging in Moldova, and the level of understanding, awareness and capacity of civil society organisations in this field was low.”

- Veronica Cretu, coordinator of the working group on e-Government/Open Government

to “vote” on the final version of the proposed Action Plan.’ The consultation process stretched from the end of January to mid-March 2012, during which time civil society was invited to participate in all online and offline consultations. These included round-table meetings, the sharing of documents via emails, interviews and the use of social media networks. The OGP draft action plan was published on the government’s participation platform (www.particip.gov.md) and comments and suggestions were invited. National and local organisations in the fields of access to information, public transparency, government accountability, the Youth Council, education, health and justice commented. The government analysed the comments and suggestions and included most of them in the final draft of the action plan. Around 130 representatives of civil society took part in the consultation meetings and between 50–75% of

civil society inputs were included in the final Action Plan. Says Irina,

‘The government did not meet the participants’ expectations that a summary of the feedback received would be provided, a document itemising the comments reflected in the last draft of the action plan and stating why other comments were not included. The government will take this into consideration in the next round of consultations.’

The Moldovan government collaborated with international development partners in order to raise awareness of the Open Government Partnership and to involve as many participants in the consultations as possible. The Soros Foundation – Moldova, the World Bank and FHI 360 contributed to the promotion of OGP by helping to organise consultative meetings,

conferences and awareness sessions. They built local capacity through training workshops, undertook research and provided technical support and guidance to both government and CSOs.

The government raised awareness of the initiative by employing a number of online and offline strategies. It disseminated information at national and local level through the international development partners, through a coalition of local authorities, radio and TV spots, social media and special events. Youth aged 16-30 years, which make up 30% of the country’s population of 3.5 million, were specifically targeted at the Open Innovation Week in May 2012 – a series of events that brought local stakeholders from both the public and private sectors together with civil society and international experts. They participated in skills-building activities and awareness-raising events around

'We need to explore new and innovative ways of improving the collaboration between local authorities and CSOs in local development committees.'

- Irina Tisacova, Open Government Coordinator at the e-Government Centre

open data, leveraging it to achieve social and commercial value.

'We learnt that not only does the government have to be open, but civil society has to build its capacity to analyse all the information and data that's being released,' says Victoria Vlad, an economic researcher with the Expert Grup.

To date, most active NGOs involved in open government processes are concentrated in the capital city. 'Most decisions, strategies and consultations stop at the border of Chisinau,' says Victoria. The mechanisms to reach out to NGOs in the rural areas remain limited and the links between central and local authorities could be improved. Various citizen engagement methods are needed to increase participation and levels of trust. 'We need to explore new and innovative ways of improving the collaboration between local authorities and

CSOs in local development committees,' Irina suggests.

Efforts to monitor the implementation of the Action Plan are continuing through the e-Government/Open Government Working Group, which has ten CSO representatives. One of the key tasks of the group, in addition to monitoring the implementation of the Action Plan, is to identify opportunities to promote, build capacity for, disseminate and integrate open government values and principles in different sectors of development. In December 2012, the group organised an Open Education event with key relevant stakeholders, addressing education from the perspective of the core values and principles of open government. During 2013, the working group plans to elaborate capacity-building modules on open government, integrating them into

on-going programmes with local public authorities, youth, and other civil society organisations.

Key lessons that have emerged from the OGP processes to date include: the need to increase awareness and collaboration with citizens; the need to improve communication with national and local stakeholders; and the need to infuse all sectors with the principles of open government. Ultimately, the delivery of the commitments remains key to building and fostering the citizen's trust in the government. People are more willing to cooperate when they can see results, however small these may be. The Open Government Partnership in the Republic of Moldova is not a stand-alone initiative; it is closely connected to the broader national e-Transformation agenda. Veronica Cretu concludes that, 'it is important to respect and adhere

to the OECD recommendations for citizen engagement, so that the elaboration, consultation, implementation, monitoring and evaluation of the Action Plan are conducted in an open, transparent and inclusive manner.'

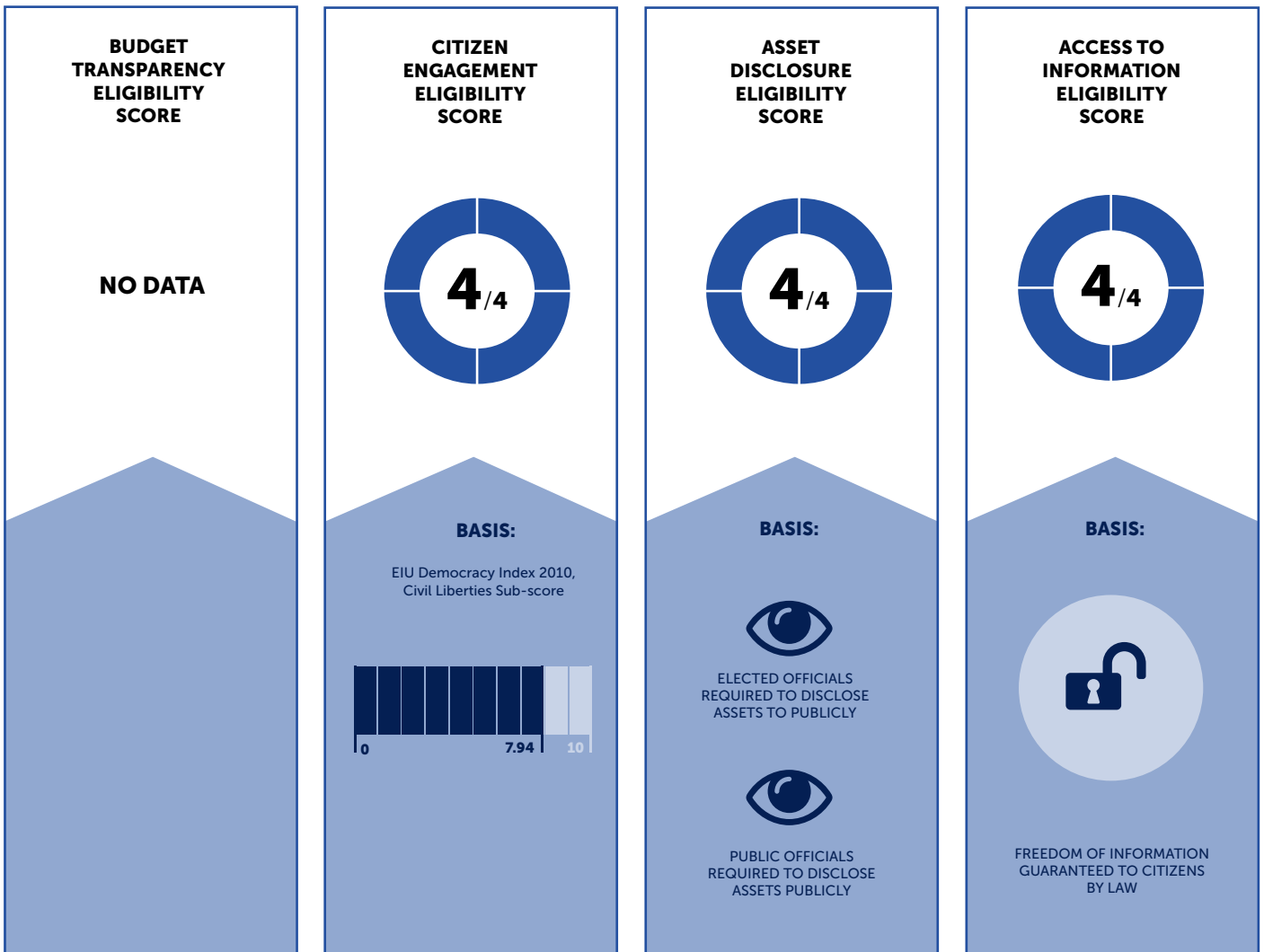
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OGP MEMBER SINCE:
April 2012

CURRENT STAGE:
1st Action Plan

OGP SITE:
<http://www.opengovpartners.org/md/>

MOLDOVA OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 14/16



PERU

ASPIRING TO A MORE INCLUSIVE PROCESS

The Peruvian state and the administration of President Ollanta Humala decided to join the OGP in September 2011, thereby reaffirming the President's priorities of enhancing transparency, fighting corruption, improving accountability and increasing civic engagement. In November 2011, the first meeting was convened by the Department of Foreign Affairs with NGOs and various government agencies, whereupon the Secretary of Public Management of the Presidency of the Council of Ministers was assigned the responsibility of setting up a multisectoral working group to develop the Peruvian Action Plan. The OGP principle of engaging civil society in the Action Plan process was understood at the outset. According to Mariana Llona, Head of the Secretariat, 'there was never a differentiated space where government gathered separately from civil society.' Invitations went out to a range of civil society organisations – labour unions,

NGOs and business associations. An eight-member public-private working group was established with equal representation from civil society and government. The four NGOs nominated by a broader group were specialist organisations involved in issues of governance, transparency, freedom of information, anti-corruption, development and poverty alleviation. Under the principle of equal participation, 'we shared the role of rapporteur between the Secretary of Public Management and Proética, the Peruvian chapter of Transparency International, thereby dividing the work of disseminating information and gathering inputs for the action plan,' says Samuel Rotta of Proética.

FROM DRAFTING AND CONSULTING TO FINALISING

The initial Action Plan drafted by the working group formed the basis of wider consultations, which were held during March 2012. The

consultations were divided between the Secretariat – responsible for the state agencies, and Proética and others who shared the plan with other broader civil society. The draft Action Plan was also posted on the website of the Presidency of the Council of Ministers at http://www.pcm.gob.pe/InformacionGral/sgp/plan_accion.html and on other government websites. Comments and suggestions were invited. The use of social media (Twitter and Facebook) was restricted largely to techies and activists, with mixed results.

'We made intensive use of our social media accounts to disseminate the Action Plan and to invite comments during the consultation period. In the end, we didn't get a massive response.'

says Samuel. Proética also organised two informational workshops in the capital, Lima, which were

'There was significant synergy between the state and civil society, which gave impetus to the design process of the action plan and the subsequent development of indicators.' - Ana María Tamayo, Advisor to the Secretariat

attended by 20–30 different CSOs, including environmentalists and those working in education, health and women's rights. Meanwhile, the Secretariat organised various forums such as round table meetings with public agencies and workshops, including one specifically for techies. During this period the media was mobilised to raise public awareness and enhance citizen participation. 'At the end of the process, we received 36 contributions from 33 contributors, nine of whom were citizens, nine were civil society organisations and 15 were public bodies,' Ana María Tamayo, an Advisor to the Secretariat explains. The international development partner, GIZ, supported the working group with funding for consultants, and helped with the development of indicators and other activities following the release of the Action Plan. Once all inputs had been systemised and discussed by the working group, the final Action Plan was prepared, adopted and

finally approved by a ministerial resolution in early April 2012, in readiness for formal submission to the OGP Steering Committee.

SOME REFLECTIONS

According to Samuel, a key success of the process from civil society's perspective has been its participation in the working group and the chance to be involved from the very beginning in setting public policy. And while the number of organisations may have been small, their representation has been broad. For government, since its inception the initiative has remained true to the spirit of civil society inclusion. 'There was significant synergy between the state and civil society, which gave impetus to the design process of the Action Plan and the subsequent development of indicators,' says Ana. Both parties also agree on the shortcomings of the consultation process: time, finances and human resources. These key constraints limited civil

society and government inputs and restricted the meetings to Lima.

'The tight timelines also served as a positive incentive to get things moving fast. However, our communication strategy to spread the word was far from ideal. Peru is a multicultural, multi-ethnic country and we need to develop a friendlier language with which to approach the people – youth organisations and women's groups, as well as the local municipalities.'

LOOKING AHEAD

In January 2013, a permanent Multisectoral Commission – made up of government agencies, civil society and the private sector was created by a Supreme Decree signed by the President, Prime Minister and Chancellor. This new legal entity is responsible

'We need to find ways of making the OGP more appealing by persuading the media to tell real stories, for example of how a person in the Andes is making use of the Access to Information Law.' - Samuel Rotta of Proética

for monitoring, evaluating and disseminating the Action Plan.

'It is important that the OGP Working Group is now institutionalised, and with this comes validation and security,'

says Samuel. The representation of the private sector is considered important – in the form of social entrepreneurs who foster social innovation and attract investment in strategic areas such as education and technology. The media is present among the Commission's other members, including a much-valued representative of the Council of Peruvian Journalism, an NGO working on issues of press freedom. 'We need to find ways of making the OGP more appealing by persuading the media to tell real stories, for example of how a person in the Andes is making use of the Access to

Information Law,' suggests Samuel. Demonstrating how policies change the lives of ordinary people remains an on-going challenge.

Open government principles are not new to Peru or Latin America. After years of political and economic crisis, both government and civil society believe the OGP captures the rethinking of transparency and access to information issues that has taken place. The involvement of all organs of civil society remains vital to legitimising the Action Plan. 'The administration is confident that this initiative could enhance the trust between the state and its citizens,' says Ana.

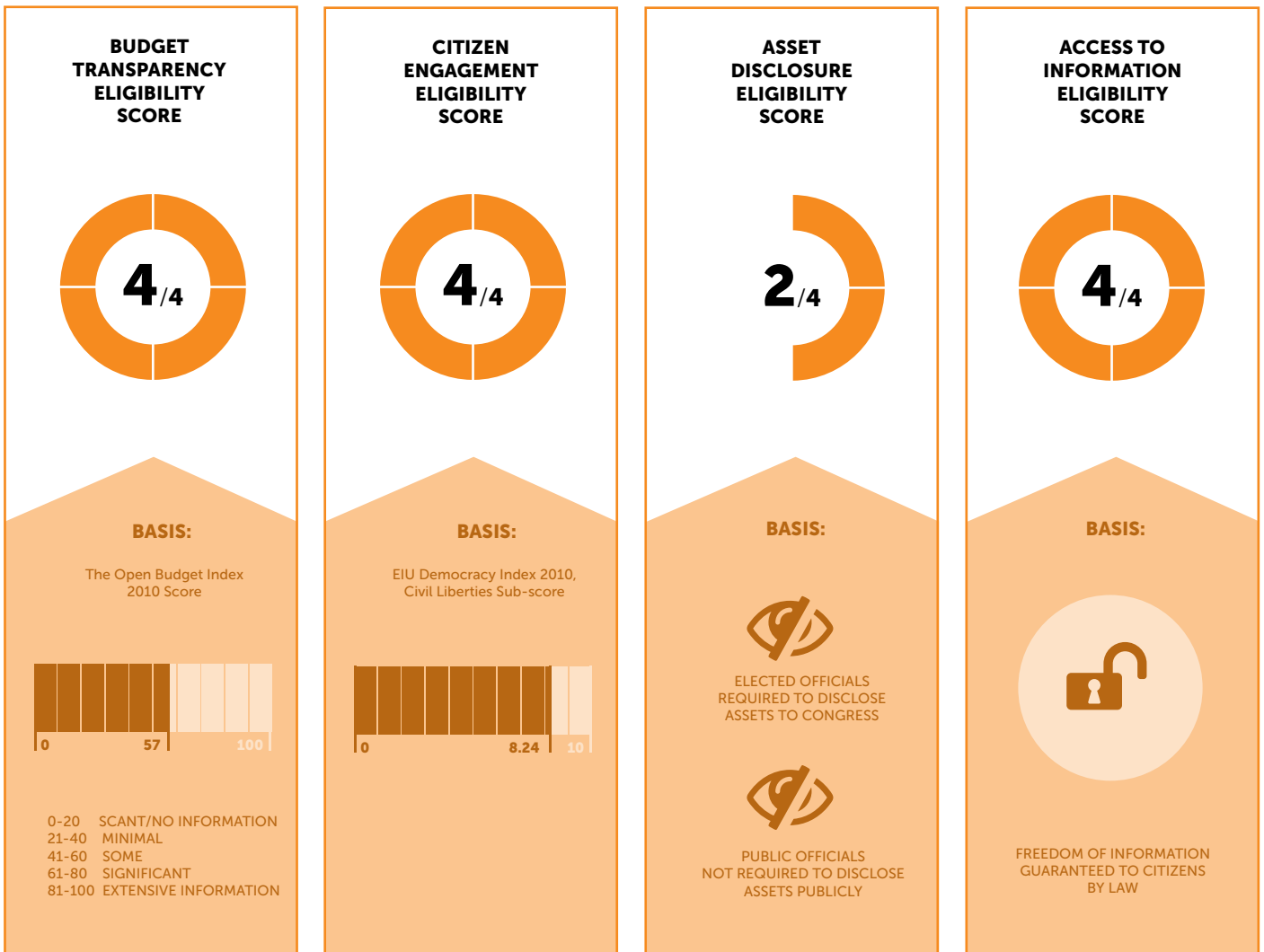
🔗 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

OGP MEMBER SINCE:
April 2012

CURRENT STAGE:
1st Action Plan

OGP SITE:
Pending

PERU OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 14/16

UKRAINE

CIVIL SOCIETY NEEDS TO BE ACTIVE AND PROACTIVE

President V. F. Yanukovich expressed Ukraine's intent to join the OGP in September 2011, right after the global initiative was launched. Like other countries in the post-soviet region, Ukraine set great store by joining the OGP; this is an important step both for its image internationally and its domestic goals. Building democratic institutions, making government more accountable and transparency are aspirations Ukraine holds as a means of furthering its development agenda. The initiative is seen as having the potential to facilitate the transition to democracy, and, among other things, to increase the cooperation between government institutions and the public in making and implementing policies 'This is a good opportunity to change the nature of governance from being closed to open,' says Olesya Arkhypska, Head of the National e-Governance Centre.

The processes leading up to the formal submission of the

National Action Plan in April 2012 were highly volatile; this was a period in which civil society organisations were learning to become more organised and were finding creative ways to bring their knowledge and influence to bear through strategic advocacy – locally and internationally. Government held consultations in late December, soliciting inputs from citizens through its extensive and established network of civic councils. These are organisations that have traditionally advised government at the local level.

'In reality, these are not independent organisations but are filled with local administrators, state research institutions and NGOs affiliated to government agencies,'

Oleksii Khmara, President of Transparency International Ukraine explains. The '400 or so submissions' government

claimed to receive through public discussions in the regions and through the government portal were vehemently opposed and rejected by the Civic Partnership, a coalition of 50 CSOs that had been excluded from the consultations. 'We realised this was pseudo-consultation and the government was avoiding a meaningful dialogue and critique. Furthermore, we couldn't support the plan that didn't reflect the real needs of the Ukrainian state. On reflection, Olesya admits government saw the consultations and the ensuing draft document as a formal and bureaucratic process involving commitments that were too general and mostly declarative.'

CIVIL SOCIETY ACTION

In response, open letters signed by prominent civic activists in Ukraine were sent to the President and Prime Minister. The Civic Partnership also solicited

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the support of international organisations, such as the World Bank, UNDP, and the Soros Foundation in Ukraine to facilitate a dialogue with government. What followed was a four-month-long advocacy campaign within Ukraine, regionally and with international actors, including the OGP Steering Committee and international media. The Partnership embarked on its own path of preparing an alternative or shadow Action Plan that adhered to OGP requirements. It organised fresh consultations – round tables, open spaces, workshops – involving more than 500 active organisations throughout Ukraine. The Civic Partnership created a webpage (www.toro.org.ua/ogp/), which was regularly updated with information about activities at national and local levels. 'Local authorities were actively involved and from members of the Partnership they learned how to hold proper consultations with citizens,' says Oleksii. The final document, produced jointly by Partnership members and

government took on board 80% of the suggestions made by civil society. It was adopted at a national round table moderated by the Prime Minister and attended by 150 prominent civic activists. Drafts that started out vague and unspecific were transformed into documents with measurable actions, with deadlines and designated executive authorities. 'We finally managed to shape the conditions for a dialogue, which has been beneficial to both sides,' Oleksii adds.

ROAD TO IMPLEMENTATION

Once the Action Plan had been approved and presented at the April 2012 OGP Summit in Brazil, it took the Government more than two months to set up the Coordination Council, which was made up of 30 or so members and included representatives of broader civil society: think tanks, journalists in independent media, and organisations working on

transparency, accountability and advocacy. Further time was spent on the approval processes. The first meeting of the Coordination Council took place in September 2012. 'Nearly six months were wasted after the Action Plan was approved. Hardly any real work was done in that period,' says Ivan Presniakov of the Ukrainian Institute for Public Policy. From the government's perspective, the Council is a forum where

'civil society has a real voice, but it's a relationship that is evolving. It's too soon to fully evaluate the partnership.'

says Oleysa. For civil society, weaknesses have already started to emerge, testing the true meaning of cooperation. Two major flaws in the OGP implementation process have become evident: the difficulty of developing a meaningful dialogue with stakeholders and of finding the

'Our focus on openness and partnership as well as consistent advocacy was and continues to be essential to changing the traditional approaches of government.'

- Oleksii Khmara, President of Transparency International Ukraine

necessary funding. Members of the Civic Partnership have reservations regarding the membership of the Council, pointing out that there are many more members from government bodies than from CSOs. Furthermore, the 'powers of its Secretariat are considered too broad, and the day-to-day supervision of the Council is too minimal to ensure its proper functioning,' says Ivan. Government also appears to have a legacy of middle-level civil servants who are resistant to change, lack sufficient capacity and don't always understand the CSO environment. This is hindering the establishment of effective platforms for meaningful dialogue. While there is more political will than before, resources are lacking for the infrastructure. 'Funds for the introduction of e-Government are insufficient, particularly for the software development envisaged in the Action Plan,' explains Oleksii.

EMERGING LESSONS

There is much to be learnt from the process thus far. Firstly, Oleksii advocates that civil society become much more professional when communicating with government.

'If our expertise is to be utilised optimally, we need to be much more knowledgeable about the issues.'

Secondly, it should be appreciated that this is a long process and that transformation, especially given the history of Ukraine, takes time. The NGO community also needs to be more open to partnership with government. 'We cannot be weak and passive. If we sleep, the country will sleep' is Oleksii's message. He feels government should be smarter in using civil society – its 'pro-bono' expertise can enhance the quality of engagement and support the

development of plans and strategies. Ultimately, Open Government is chiefly about creating a platform for communication between government and its citizens. 'Our focus on openness and partnership as well as consistent advocacy was and continues to be essential to changing the traditional approaches of government,' Oleksii stresses.

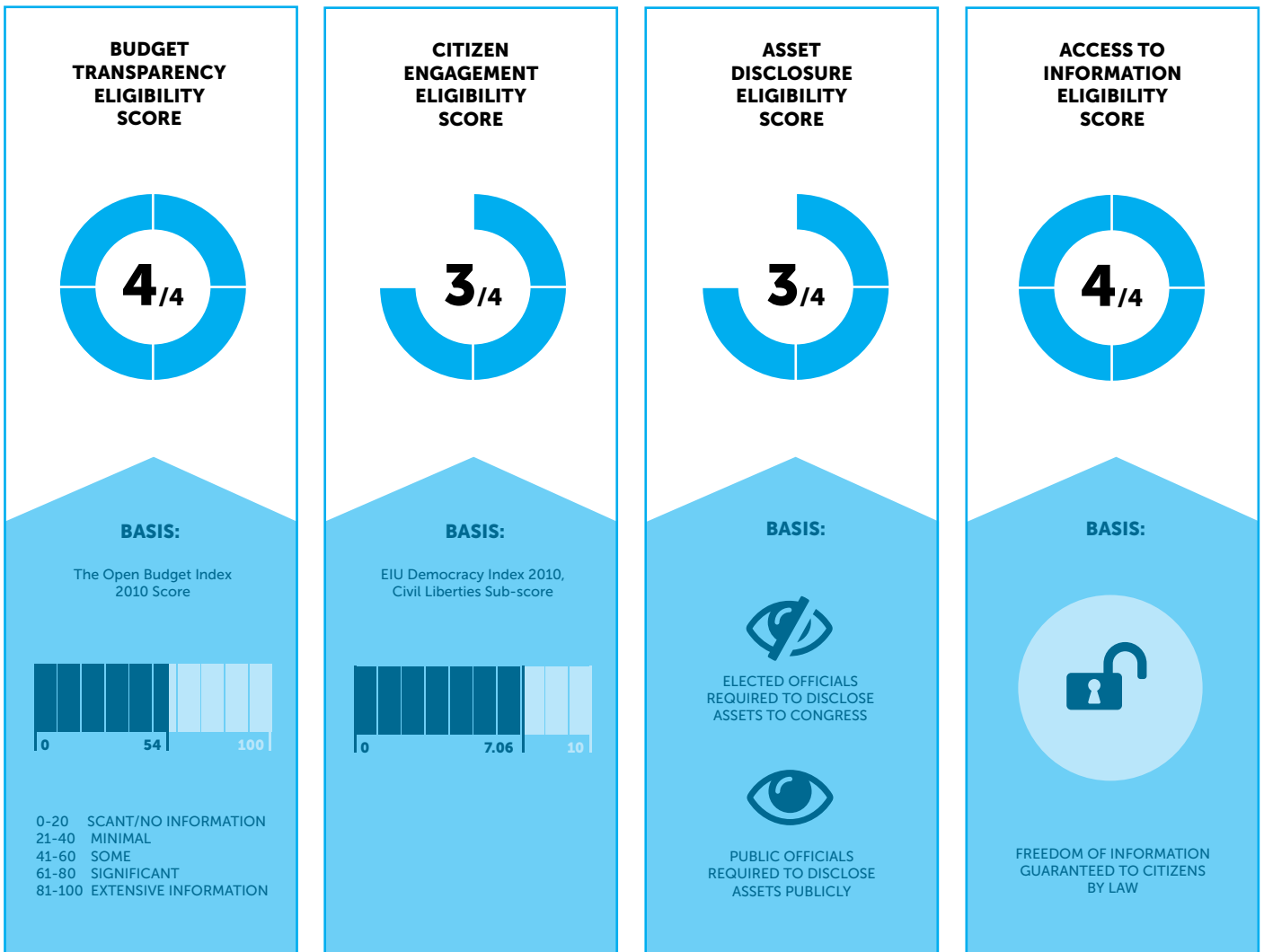
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<http://www.toro.org.ua/en/ogp/>

UKRAINE OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: 14/16

ANNEXE

FULL LIST OF PEOPLE INTERVIEWED AND CONSULTED

BRAZIL

Iara Pietricovsky INESC (Institute for Socio-Economic Studies)
 Roberta Solis Ribeiro CGU (Office of the Comptroller General)

COSTA RICA

Eduardo Núñez Integra – Transparency International
 Pablo Duncan Integra – Transparency International
 Maikol Porras Secretaría Técnica de Gobierno Digital
 Ana Sofia Ruiz Hivos Regional Office

CROATIA

Jelena Berkovic GONG - A non-partisan citizens' organisation
 Igor Vidačak Government Office for Cooperation with NGOs
 Katarina Ott Institute of Public Finance

GHANA

Emmanuel Kuyole RW (Revenue Watch Ghana)
 Vitus Adaboo TI (Transparency International) Ghana
 Effie Simpson Ekuban Public Sector Reform Secretariat

INDONESIA

Maryati Abdullah PWYP (Publish What You Pay)
 Tanti Budi Suryani TIFA/Open Society Foundation
 Tara Hidayat UKP4 (Presidential Delivery Unit)
 Alexander Irwan Ford Foundation

KENYA

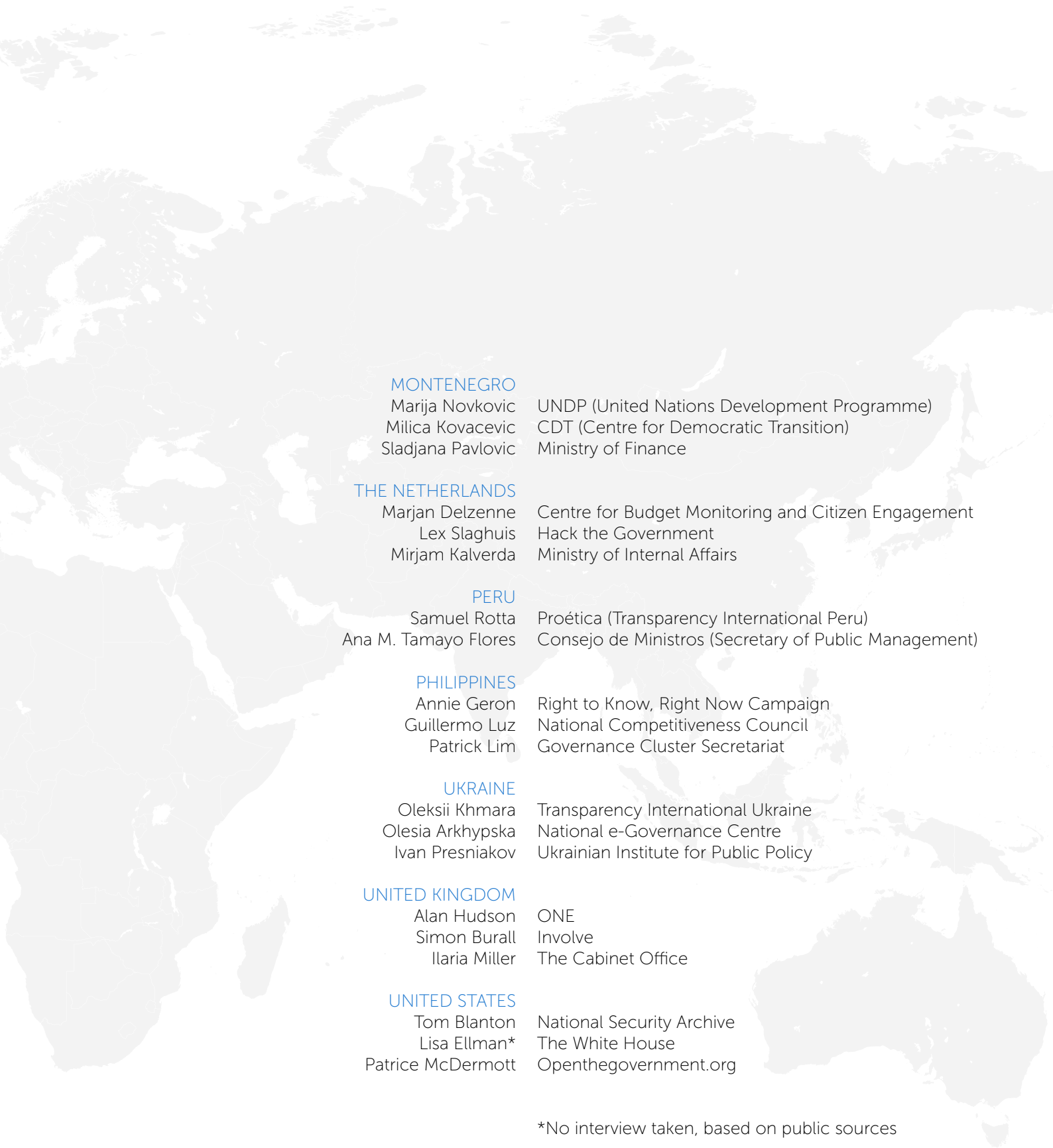
Jay Bhalla Open Institute
 Gladwell Otieno AfriCOG (African Centre of Governance)
 Paul Kukubo Kenyan ICT Board

MEXICO

Alejandro González GESOC
 Gabriela Segovia IFAI (Federal Access to Information Institute)

MOLDOVA

Veronica Cretu CMB Training Centre
 Victoria Vlad Expert Grup
 Irina Tisacova E-Government Center



MONTENEGRO

Marija Novkovic
Milica Kovacevic
Sladjana Pavlovic

UNDP (United Nations Development Programme)
CDT (Centre for Democratic Transition)
Ministry of Finance

THE NETHERLANDS

Marjan Delzenne
Lex Slaghuis
Mirjam Kalverda

Centre for Budget Monitoring and Citizen Engagement
Hack the Government
Ministry of Internal Affairs

PERU

Samuel Rotta
Ana M. Tamayo Flores

Proética (Transparency International Peru)
Consejo de Ministros (Secretary of Public Management)

PHILIPPINES

Annie Geron
Guillermo Luz
Patrick Lim

Right to Know, Right Now Campaign
National Competitiveness Council
Governance Cluster Secretariat

UKRAINE

Oleksii Khmara
Olesia Arkhypska
Ivan Presniakov

Transparency International Ukraine
National e-Governance Centre
Ukrainian Institute for Public Policy

UNITED KINGDOM

Alan Hudson
Simon Burall
Ilaria Miller

ONE
Involve
The Cabinet Office

UNITED STATES

Tom Blanton
Lisa Ellman*
Patrice McDermott

National Security Archive
The White House
Openthegovernment.org

*No interview taken, based on public sources





**THE OGP CIVIL
SOCIETY HUB**

www.ogphub.org