

Norway: Independent Reporting Mechanism (IRM) Progress Report 2013-2014

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Executive Summary: Norway

Independent Reporting Mechanism (IRM) Progress Report 2013-2014

Norway's second action plan showed significant improvements over the first, with a greater focus on opening government. However, the plan remains vague in parts. Moving forward, stakeholder engagement and consultation will need to become regular and institutionalised to better align with civil society priorities.

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

Norway officially began participating in OGP in September 2011, when Prime Minister Jens Stoltenberg launched the initiative along with other heads of state in New York.

The Ministry of Local Government and Modernisation (KMD) is responsible for coordinating OGP in the country. KMD's mandate is based solely on inter-ministerial directives, and it is not legally mandated. The Ministry of Foreign Affairs (MFA) currently finances KMD's coordination activities. The government has established an OGP Council to coordinate engagement with civil society. The Council participates in all OGP-related meetings hosted by KMD.

OGP PROCESS

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

The Norwegian Government invited 27 civil society organisations (CSOs) to submit commitments for the next action plan. It also invited 100 CSO representatives to a dialogue meeting. Despite these efforts, CSO engagement in the OGP process was low, due significantly to the timing and presentation of consultations.

KMD organised three meetings to review progress during action plan implementation and invited between 100 and 150 CSO and government representatives. While the meetings were relatively well attended, the IRM researchers noted a lack of engagement and participation by attendees.

KMD circulated by email a draft self-assessment report to 87 CSO and government representatives. At the time of writing this report, however, the government had not published a final version of the report.

At a glance

Member since: 2012
Number of commitments: 25

Level of Completion:

Completed: 8 of 25
Substantial: 7 of 25
Limited: 6 of 25
Not started: 0 of 25
Unclear: 3 of 25
Officially withdrawn: 1 of 25

Timing:

On schedule: 14 of 25

Commitment Emphasis:

Access to information: 16 of 25
Civic participation: 3 of 25
Accountability: 5 of 25
Tech & innovation for transparency & accountability: 4 of 25

Number of Commitments that Were:

Clearly relevant to an OGP value: 22 of 25
Of transformative potential impact: 0 of 25
Substantially or completely implemented: 15 of 25
All three (★): 0 of 25

COMMITMENT IMPLEMENTATION

As part of OGP, countries are required to make commitments in a two-year action plan. The Norwegian contains 25 commitments. The following tables summarises each commitment, including its level of completion, potential impact, whether it falls within Norway's planned schedule, and the key next steps for the commitment in future OGP action plans. Several of the commitments are phrased in vague terms, which made their level of ambition and completion difficult to assess.

The IRM methodology includes starred commitments. These commitments are measurable, clearly relevant to OGP values as written, of transformative potential impact, and substantially or completely implemented. Note that the IRM updated the star criteria in early 2015 to raise the bar for model OGP commitments. In addition to the criteria listed above, the old criteria included commitments that have moderate potential impact. Unfortunately, due to challenges with ambition and lack of specificity, Norway did not receive any starred commitments. See <http://www.opengovpartnership.org/node/5919> for more information.

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
1. Public review and public consultation: Improve the basis for decisions in public administration by drafting new instructions for Official Studies and Reports.									Behind schedule
2. A better overview of committees, boards, and councils - More public access to information and better opportunities for further use: Make the records of committees, boards, and councils easier to use for the general public, public administration, and research institutions.					Unable to tell from government and civil society responses				Unclear
3. Simplify ("Enkelt og greit"): Consider a document worked out by the former government on how to simplify the lives of citizens.					Unable to tell from government and civil society responses				Unclear
4. Electronic Public Record (OEP): By request, Norway will share its experiences of OEP and the source code with other countries.									On schedule
5. Re-use of public sector information (PSI): All state enterprises are required to make public data available. In addition, the government has published a call for tenders for a socio-economic analysis of the availability of public geospatial data in Norway.									On schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
6. Access to health data: Establish and improve services on the health portal helsenorge.n. Citizens shall have secure and easy electronic access to their own health records.									On schedule
7. Renewal of the Government's website (regjeringen.no-government.no): Improve regjeringen.no. Ministries must be involved in the development work and user testing will be performed.									On schedule
8. Declaration of principles for interaction and dialogue with NGOs: The Ministry of Culture will start work on a declaration of principles for interaction and dialogue with NGOs.									On schedule
9. Simplification and digital administration of arrangements for NGOs: Make efforts to ensure that the requirements regarding applications and reporting for voluntary organisations are simplified and that more supports schemes are linked to the Register of Non-Profit Organisations.									On schedule
10. Registering and preserving digital documentation produced by public bodies: Establish joint solutions for preserving and making available digital documentation that are no longer in active administrative use.									Behind schedule
11. The Norwegian Citizen Survey: Norway will carry out a third citizen survey in 2015. Its results shall be free for all agencies, municipalities, and citizens to adopt and re-use.									On schedule
12. Whistle-blowing: Carry out an evaluation of the whistle-blowing rules.									On schedule
13. Strengthening information exchange for more efficient crime prevention and combating: Pilot projects will be carried out on the cooperation between the police and other actors to achieve better coordination of information on combating crime.									Behind schedule
14. Strengthening the transparency of public authorities and administration: Norway will consider amendments to the Freedom of Information Regulations. It also will continue training in the practice of the archive legislation and the Freedom of Information Act.									Behind schedule
15. E-Government with an end-user focus: The Agency for Public Management and E-Government will develop guidelines for the provision of digital public services with a user-centred approach.									Behind schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
16. Plain legal language: Examine some acts and reformulate them in plain language to make them easier for the public to understand.									On schedule
17. Norwegian Grants Portal (MFA): Ensure the data in the Ministry of Foreign Affairs grants portal at the Norwegian Government website complies with IATI and is updated monthly.									On schedule
18. An international convention or agreement on financial transparency: The Government will initiate an international dialogue on stricter rules for financial transparency.					Officially withdrawn				N/A
19. Reducing conflicts of interests – Post-employment regulations: Norway will consider formalising the three sets of post-employment regulations by law.									On schedule
20. Centre for Integrity in the Defence Sector: Operate a Centre for Integrity as a resource for the Norwegian defence sector and work closely with NATO.									On schedule
21. Modernising public governance: Consider measures aimed at strengthening interaction and coordination across agencies and sectors and across administrative levels.					Unable to tell from government and civil society responses				Unclear
22. Transparency in the management of oil and gas revenue: Proposed measures include supporting EITI implementation, strengthen the Oil for Development Programme, securing poor countries's access to information about extractive companies, consider adopting a country-by-country reporting system for the extractive sector, work to strengthen the financial sector transparency.									Behind schedule
23. Transparency in the management of the Government Pension Fund: Norges Bank will make general meetin's voting results publicly available on its website.									On schedule
24. Transparency and anti-corruption efforts: Introduce national regulations on country-by-country reporting on financial information for every country that a company operates in.									On schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
25. The municipal sector: Develop the Board Appointments Register, further develop Municipality-State Reporting, achieve open and accessible information concerning schools, examine dual role issues in connection with the revision of the Norwegian Association of Local and Regional Authorities' recommendations regarding sound municipal ownership.									Behind schedule

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	SUMMARY OF RESULTS
<p>1. Public review and public consultation</p> <ul style="list-style-type: none"> OGP value relevance: Clear Potential impact: Minor Completion: Limited 	<p>The Instructions for Official Studies and Reports, the guidelines that dictate how officials engage in consultative processes on studies, reports and other types of official investigation work, are being reviewed. Work is proceeding slowly due to extensive consultation by the lead agency. The IRM researchers were not able to identify any use of technology, as specified in the language of the commitment. While increasing public consultation is laudable, the scope of the instructions is relatively narrow. The IRM researchers recommends inclusion of mechanisms, such as the Freedom of Information Act, that would have more impact on strengthening public consultation.</p>
<p>2. A better overview of committees, boards, and councils</p> <ul style="list-style-type: none"> OGP value relevance: Clear Potential impact: Minor Completion: Unable to tell 	<p>The Government reports that work on this commitment has begun. IRM researchers were not able to determine, however, what activities this work included. While access to information on committees, boards, and councils is desirable, it is not clearly a priority area for access to information in Norway. As such, this commitment should not be prioritised in the next action plan.</p>
<p>3. "Simplify" ("Enkelt og greit")</p> <ul style="list-style-type: none"> OGP value relevance: Unclear Potential impact: None Completion: Unable to tell 	<p>The Government committed to consider a document, produced by the previous government, on how access to public services could be simplified. While this is a loadable goal, the commitment's relevance to OGP values is not clearly articulated. Unless the relationship with the open government agenda in Norway can be articulated more clearly, this commitment should not be carried over.</p>
<p>4. Electronic Public Record (OEP)</p> <ul style="list-style-type: none"> OGP value relevance: Clear Potential impact: Minor Completion: Complete 	<p>The Norwegian Government participated in several international conferences to share its experiences with OEP. While there seems to be little interest in OEP nationally, hence the international focus of this commitment, it is an important mechanism for transparency and accountability. Therefore, the IRM researchers suggest that the government considers raising awareness for OEP at the national level and improve its accessibility.</p>
<p>5. Re-use of public sector information (PSI)</p> <ul style="list-style-type: none"> OGP value relevance: Clear Potential impact: Minor Completion: substantial 	<p>The government held a hearing on the implementation of the E.C. Directive on the Re-use of Public Sector Data and is reviewing submissions to that consultation. It has also initiated an evaluation process of the Norwegian Public Data Licensing System. The analysis of the availability of public geospatial data in Norway was received and is under consideration. Moving forward, KMD should consider improving and harmonising agencies' capacity to release data.</p>
<p>6. Access to health data</p> <ul style="list-style-type: none"> OGP value relevance: Clear Potential impact: Minor Completion: Substantial 	<p>A number of steps, such as user access to electronic prescriptions and establishing access to personal health data online, have been taken towards fulfilment of this commitment. However, the IRM researchers were not able to determine whether eID was launched. These steps represent a minor but positive step towards reform of the Norwegian health care policy. The IRM researchers recommend that this work continues, but not be included in OGP processes.</p>

NAME OF COMMITMENT	SUMMARY OF RESULTS
7. Renewal of Government's website <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Complete 	A redesigned regjeringen.no was launched in December 2014, therefore completing the commitment. This redesign renews a platform for information sharing and interaction with citizens that was already in place. The Norwegian Government Security and Service Organisation (DSS) will continue making improvements to the website and but these improvements should not be included in subsequent action plans.
8. Interaction with NGOs <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Substantial 	A draft of the Declaration of Principles for Interaction and Dialogue with NGOs was published in December 2014. Civil society representatives were invited to provide feedback on the declaration by early 2015. While this declaration represents a positive step towards better cooperation with CSOs, civil society in Norway already benefits from good relationships with the government, and it is unclear if they requested this declaration. Therefore, this commitment does not need to be included in the next action plan, unless requested by CSOs.
9. Digital administration of arrangements for NGOs <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Substantial 	The Ministry of Culture's reported that an overview of grant schemes for volunteer organisations has been published, as well as a guide for how to improve grant schemes for one type of organisation. The IRM researchers were not able to find details on how application procedures are to be simplified or on work undertaken towards linking more support schemes to the Register for Non-Profit Organisations. While this commitment represents an effort to improve the efficiency of civil society's engagement with government, it does not change the basic mode of operation or create new platforms for interaction between these actors. Consultation between government and civil society would be a good next step to ensure future commitment responds to civil society needs.
10. Digital documentation <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Limited 	The SAMDOK project is intended to facilitate coordination among archive institutions on a voluntary basis. The project is widely regarded as a success and will continue to be implemented independently of the OGP process. Regarding revisions of the Archives Act, the government established a working group to consider adjustments to the regulations. While both of these activities are important to government efficiency and work is on going, they need not be included in subsequent action plans.
11. Norwegian Citizen Survey <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Substantial 	Norway's third citizen survey was conducted in 2015 and results are expected to be available for download and re-use. It is unclear how the information collected in the survey is being used, or could be used, to support more open government in Norway. Therefore, the IRM researchers recommend conducting an assessment on how survey results are used to improve policy and governance.
12. Whistle-blowing <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Complete 	An evaluation of whistle-blower rules was carried out in 2013 and noted that Norwegian regulations did not meet international standards on whistle-blowing. The report is being reviewed by the Ministry of Labour, which fulfils the commitment. Moving forward, the Ministry of Labour should adopt progressive and ambitious changes to the whistle-blower rules on the basis of its review.
13. Strengthened information exchange <ul style="list-style-type: none"> • OGP value relevance: Unclear • Potential impact: Minor • Completion: Limited 	The self-assessment report references pilot projects organised in collaboration with the private sector but the IRM researchers were unable to determine what these projects were. They were similarly unable to identify progress on the evaluation mentioned in the commitment. As currently written, the commitment is of unclear relevance to OGP values. Unless the commitment's relevance to access to information, civic participation or public accountability are articulated better, it should not be carried over to the next action plan.
14. Transparency of public authorities <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Limited 	The Government discussed amendments to the Freedom of Information Act (FOIA) to broaden the scope of its applicability. Consideration of these amendments is in preparatory phase. In addition, the Ministry of Justice held courses and lectures on implementation of FOIA. FOIA is a critical piece of legislation and further efforts are needed to raise awareness of FOIA across government agencies and ministries. In addition, the government should conduct an assessment of FOIA requests to identify gaps in the act's implementation.
15. E-Government with an end-user focus <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Substantial 	The Agency for Public Management and E-Government (Difi) has developed guidelines for the evaluation of digital services, which are available online. However, the IRM researcher could find no evidence that user studies have been conducted. Although the quality of guidelines can be important for setting standards, this commitment does not introduce any changes in access to information or public participation. The IRM researchers recommend that the next action plan focus on how evaluations and guidelines are used to increase accessibility and participation.

NAME OF COMMITMENT	SUMMARY OF RESULTS
16. Plain legal language <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Complete 	The Plain Legal Language project has identified four laws whose language will be clarified, but IRM researchers could not find a timeline for completion of the project. While plain legal language is important, this project should only be included in future action plans to the extent that it relates to OGP values and only through clear and explicit commitments.
17. Norwegian grants portal <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Complete 	The Norwegian grants portal is now compliant with the IATI standard. However, the IRM researchers were unable to determine how often it is updated. It is not clear that the information on the portal is the type of aid data most useful to stakeholders. The government should hold consultation with relevant actors to determine the type of information they would like to access.
18. Financial transparency <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Officially withdrawn 	This commitment was officially withdrawn due to a lack of international support for an international convention or agreement on financial transparency.
19. Post-employment regulations <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Complete 	The government committed to consider a report on possible amendments to the Norwegian Post-Employment Regulations. Due to the vague language of the commitment, completion is difficult to assess. However, the proposed legal amendments contained in the report have been received positively by civil society and should now be enacted into law.
20. Centre for Integrity in the Defence Sector <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: None • Completion: Substantial 	The Centre has engaged in a number of activities including publications on good governance, an international conference, and the implementation of a NATO training course. These activities are not new, and the commitment does not appear to have had a significant impact on national integrity in the defence sector. The Centre should identify how it can work with national defence actors to improve integrity and the quality of accountability in Norway, such as procurement rules and management of FOIA requests.
21. Modernising public governance <ul style="list-style-type: none"> • OGP value relevance: Unclear • Potential impact: None • Completion: Unable to tell 	This commitment was vaguely worded, which made it difficult to assess its potential impact or level of completion. Better management and greater ICT use would certainly matter, and the IRM researchers recommend commitments around this topic be written in clear, measurable language in future action plans.
22. Transparency in oil and gas revenue <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Limited 	As currently formulated, most of the milestones under this commitment are not specific enough to be assessed. Of the milestones that could be assessed, a country-by-country reporting system was fully implemented in early 2014. Future commitments should move beyond existing work and be more specific in their formulation.
23. Managing Government Pension Fund <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Complete 	Norges Bank made the voting results of their general meeting available online. However, the information is very difficult to find on their website, and it does not allow for use or comparison or provide background information on the data. It is also not clear that the voting results provide any more information than what is already made available by the Norwegian Ethical Council and the Finance Department. In the future, the government should explore ways to make voting information easier to access and to provide contextual information to make the results easier to understand.
24. Transparency and anti-corruption efforts <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Complete 	A country-by-country reporting system was fully implemented 1 January 2014. It requires Norwegian-registered companies to report profits, expenses, taxes, and employees for each country in which they operate. Civil society generally appears satisfied with the new law, which represents an important step towards fighting international corruption. The IRM researcher recommends reviewing the law and exemptions earlier than the three-year review schedule and seeking civil society input on establishing sanctions.

NAME OF COMMITMENT	SUMMARY OF RESULTS
<p>25. The municipal sector</p> <ul style="list-style-type: none"> • OGP value relevance: Clear • Potential impact: Minor • Completion: Limited 	<p>The Norwegian Association of Local and Regional Authorities (KS) created the Board Appointment Register. It provides an overview of board appointments and other important roles and interests for about 39,000 elected leaders. KS reports that the milestone regarding KOSTRA (municipality-state reporting) and schooling data are in progress while no progress has been made on accessible information concerning school objectives, strategies, plans, and results. Lastly, KS reports that work on examining dual role issues in connection with the revision of KS's recommendations has not started. While these milestones are targeted at preventing corruption at the municipal level, KS's CSO status seems to have inhibited progress on fulfilment. Moving forward, this commitment should be assigned to a government agency as responsible party.</p>

RECOMMENDATIONS

Norway has a strong tradition for openness and transparency and a generally vibrant civil society. On OGP issues, however, government engagement with CSOs has been lacklustre. Commitments in the action plan were worded vaguely, which made them difficult to assess and lacking ambition. Based on the challenges and findings identified in this report, this section presents the principal recommendations.

TOP FIVE 'SMART' RECOMMENDATIONS
<p>1. Prior to consultations, establish a public-facing web presence for OGP that is designed to facilitate interaction, in which OGP-related information is organised according to the interests and mandates of Norwegian civil society. Promote this web presence in forums and on websites where Norwegian civil society is already active, such as http://www.bistandsaktuelt.no/. Use this web presence to track proposals and inputs to consultations, regardless of the format in which they are submitted, and to provide feedback on how and why individual proposals are incorporated into the action plan, or reasons they are not.</p>
<p>2. Develop and consult on the third national action plan according to a timeline that is developed in partnership with the OGP Council.</p>
<p>3. Prior to developing the next national action plan, seek ministerial-level political support for the OGP from key government agencies. Develop a communications strategy in collaboration with the OGP Council for promoting the OGP in national media to raise awareness and to facilitate civil society engagement ahead of consultations.</p>
<p>4. Strengthen institutional ownership of OGP commitments in government agencies by establishing a regular multi-agency process for sharing and monitoring of commitments before the next implementation cycle.</p>
<p>5. Include more ambitious and measurable commitments in the next National Action Plan and ensure that those commitments meet the SMART criteria, according to which, commitments should be Specific, Measurable, Answerable, Relevant, and Time-bound. These commitments should be based on issues that are prioritised in the critical media and by national CSOs.</p>

Eligibility Requirements: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, see section IX: Eligibility Requirements at the end of this report or visit: <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>.

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The International Law and Policy Institute (ILPI) is an independent institute focusing on good governance, peace and conflict, and international law. ILPI provides research, analysis, process support, and training to clients ranging from private companies and institutions to governments and international organisations.

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



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ILPI

I. National participation in OGP

History of OGP participation

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organisations (CSOs), and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments, civil society, and private sector entities that support the principles and mission of OGP. Norway, one of the eight founding countries of the OGP, began its formal participation in September 2011, when then Prime Minister Jens Stoltenberg launched the initiative along with other heads of state and ministers in New York.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Objective, third party indicators are used to determine the extent of country progress on each of the dimensions. See Section IX on “Eligibility Requirements” for more details.

All OGP-participating governments are required to develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s) (see Section IV), including specific open government strategies and on-going programmes. Action plans should then set out the government’s OGP commitments, which move government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

Norway developed its second national action plan in the latter half of 2013. The plan was announced and shared with responsible government agencies in November 2013. The effective period of implementation of the second national action plan is calendar years 2014 and 2015. This report assesses the first year of implementation of the action plan, ending on 30 December 2014. The Government of Norway disseminated a draft version of a self-assessment report for the second national action plan on 31 March 2015.

Basic institutional context

The Ministry of Foreign Affairs (MFA) in cooperation with the Prime Minister’s Office coordinated Norway’s initial OGP involvement. The IRM researchers have not identified any engagement of the Prime Minister’s office in OGP processes following this, although the Ministry of Local Government and Modernisation (KMD) reports that there has been regular contact and meetings between the Prime Minister’s office and other Ministries. During the course of the implementation of the first national action plan, the MFA handed responsibility for coordination over to the Ministry of Government, Administration, and Church Affairs (FAD), now KMD.

The Norwegian representative at most OGP events has been the KMD State Secretary Paul Chaffey who has taken a much more hands-on and engaged approach to OGP than the previous government, which left office in October 2013. The impact of the change of government on the implementation of this action plan is not entirely clear. Despite the fact

that several of the action plan's commitments are aligned substantively with the new government's policies and political programme, it appears that the new government has not prioritised the OGP mandate, and that this has had consequences for political support and resources available to the agencies responsible for individual commitments. This also might contribute to the general lack of awareness and enthusiasm regarding the OGP that the IRM researchers encountered when researching this report.

This also seems to be the case at the international register, as exemplified by the fact that the Norwegian Prime Minister failed to attend the OGP Summit on the margins of the U.N. General Assembly in New York in September 2014. Not being represented by a Head of State at the Summit sent a negative signal with regard to Norway's OGP participation.

Opinions differ on whether KMD is the most appropriate institutional "home" for OGP. While representatives of KMD see the Ministry as that which most closely resembles a ministry of the interior, and thereby most substantively aligned with OGP commitments, civil society representatives suggest that the Ministry of Finance might have been a more effective agency for coordination due to its direct control over budget and administrative resources, and its stronger position for influencing the national political agenda.

MFA currently finances KMD's coordination activities, and has responsibility for implementing two OGP commitments. KMD's mandate to coordinate and implement OGP activities is based solely on inter-ministerial directives. It is not legally mandated.

As with the first national action plan, the second national action plan's broad scope requires participation from a wide variety of government agencies. Thirteen government agencies are named responsible for implementing commitments in the second national action plan.¹ In addition, one non-governmental body representing municipal governments is responsible for one commitment.²

To assist with coordination and engagement with civil society, the Government of Norway has established a Council for Transparency in the Public Administration (*Åpenhetsråd*), which also functions as an OGP Council. The OGP Council is composed of three civil society representatives, who KMD appoints and funds activities. The Council meets regularly at least every two months, but is not mandated to do, so technically it is ad hoc. The Council participates in all OGP-related meetings hosted by KMD, including inter-departmental meetings and meetings with civil society. The Council is free to meet with ministers of other departments to raise awareness generally about issues concerning transparency in public administration and, specifically, about Norway's commitments on OGP. Since being established in February 2015, the Council has met with three ministries.

According to a note distributed by KMD with Norway's self-assessment report in March 2015, the Council has a mandate to:

- Provide input to the development and implementation of national action plans
- Follow up with action plan implementation
- Provide input to evaluation of action plans
- Raise awareness of the OGP in Norway, increase engagement with Norwegian civil society, and contribute to Norway's leading position internationally in regard to open governance
- Strengthen the involvement of relevant actors in OGP processes

- Participate in OGP forums to facilitate the exchange of experience with institutions in other OGP participating countries

Since assuming responsibility for coordinating the OGP, KMD reports that it has invested human resources equivalent to approximately 75 per cent of an annual position, the majority of which has been used to participate in the international steering committee for OGP, not for domestic planning or implementation. Two hundred thousand NOK were allocated to KMD for coordination of OGP activities, and 150,000 NOK were allocated for 2014.

Methodological note

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP participating government. In Norway, the IRM partnered Christopher Wilson of the engine room (<http://theengineerroom.org>) and Joachim Nahem of the International Law and Policy Institute (ILPI). Joachim Nahem recused himself from the role of independent researcher to participate in the OGP Council, described above, and was replaced by ILPI's Lena Olsen, who worked with Christopher Wilson to carry out this evaluation of the development and implementation of Norway's second action plan. IRM researchers from the engine room and ILPI reviewed the government's self-assessment report, gathered the views of civil society, and interviewed appropriate government officials and other stakeholders. OGP staff and a panel of experts have reviewed this report.

This report follows on an earlier review of OGP performance, the Norway Progress Report 2011–2013, which covered the development of the first action plan as well as implementation from 1 July 2012 to 30 June 2013.

Due to lack of engagement and awareness of OGP within Norwegian civil society, the IRM researchers did not attempt to convene consultations with CSOs for this review, but instead interviewed six civil society representatives who were active in the review of the first action plan and development of the second national action plan, as well as civil society representatives participating in the OGP council.

¹ They include the Agency for Public Management and E-Government (Difi), Directorate of Health, Language Council of Norway (*Språkrådet*), Ministry of Defence, Ministry of Finance, Ministry of Foreign Affairs, the Ministry of Petroleum and Energy, Ministry of Justice, Ministry of Labour, Ministry of Local Government and Modernisation, National Archives of Norway, Norges Bank, the Government Administration Service (DSS), the Ministry of Health and Care Services, and the Norwegian Association of Local and Regional Authorities (KS).

² It is the Norwegian Association of Local and Regional Authorities (KS).

II. Action plan development

Norway’s engagement with stakeholders during action plan development has been conducted primarily through emails and two in-person events. The level of civil society engagement in these consultations was low for a variety of reasons, and IRM researchers did not find that consultations successfully incorporated civil society and other stakeholder input into the development of the action plan.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at a minimum) prior to the consultation,
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online,
- Undertake OGP awareness raising activities to enhance public participation in the consultation, and
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is discussed in Section III on Consultation during implementation:

- Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

Evidence for consultation before and during implementation is included here and in Table 1 for ease of reference.

Table 1: Action Plan Consultation Process

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement?
During Development	Were timeline and process available prior to consultation?	Yes
	Was the timeline available online?	Yes
	Was the timeline available through other channels?	Yes
	Provide any links to the timeline.	Letter of notice of consultation: http://bit.ly/1PPJlaL
	Was there advance notice of the consultation?	Yes
	How many days of advance notice were provided?	91
	Was this notice adequate?	Yes

	Did the government carry out awareness-raising activities?	Yes
	Provide any links to awareness-raising activities.	None
	Were consultations held online?	Yes
	Provide any links to online consultations.	The consultation notice: http://bit.ly/1PPJlaL
	Were in-person consultations held?	Yes
	Was a summary of comments provided?	Yes
	Provide any links to summary of comments.	The responses from six of the 27 CSOs: http://bit.ly/1FKtx8Z
	Were consultations open or invitation-only?	Invitation-only
	Place the consultations on IAP2 spectrum. ¹	Consult
During Implementation	Was there a regular forum for consultation during implementation?	No
	Were consultations open or invitation-only?	Open
	Place the consultations on the IAP2 spectrum.	Involve

Advance notice and awareness-raising

Description of activities:

On 18 April 2013, KMD sent an email to government agencies as well as 27 CSOs and organisations in the business sector, inviting them to propose commitments for the next national action plan. KMD reports that these recipients were selected from participants in the independent review of Norway's first action plan, in addition to organisations specifically selected by KMD. It is not clear how email recipients were selected. This invitation was repeated during in-person OGP meetings hosted by KMD on 6 June 2013 and 13 June 2013. It is unclear who participated in these meetings, but the first was an "Information Meeting" open to all ministries and the second was a "Dialogue Meeting" announced in an email sent to approximately 100 representatives of civil society and government. While the event was not publically announced, those invited were encouraged to invite others.

The deadline to submit proposals for the second action plan was 18 July 2013. Six written proposals were received. There is no record of any proposals made during the in-person meetings and the IRM researchers were unable to find minutes or summary of the meetings.

Challenges:

The scope of KMD's outreach for consultations has increased steadily, and increasing recipients from 27 to 100 is significant. KMD's draft self-assessment report notes that there has been an active effort to increase the scope of outreach. This increase in recipients did not seem to significantly increase civil society engagement (IRM researchers participated in meetings hosted by KMD and did not note more than five or six participants representing CSOs, including members of the OGP Council). Nor did increasing the number of email recipients appear to increase civil society's input to the national action plan (only six written submissions are on record). For these reasons, it is worth reviewing other aspects of the outreach.

Timing was an obvious impediment to responding, and placing the deadline for submissions in the middle of national summer holidays likely discouraged submissions, just as it did during consultations for the first action plan.

The form and accessibility of outreach may be just as important. All emails from KMD regarding the consultation processes have been written in dense administrative language, with substantive information contained in up to seven attachments, which were not always clearly labelled. This may have significantly decreased the likelihood that recipients not already familiar with OGP and motivated to engage would read and process the information. As long as email lists continue to be the primary mechanism for raising awareness and promoting consultations, clear language relevant to civil society may be necessary to increase civil society engagement.

Similarly, the OGP web presence in Norway has not been highly engaging. Notices for OGP activities and consultations buried deep in government websites are not easily accessible and not clearly presented. For example, the main web page for the OGP is at a long hyperlink: <https://www.regjeringen.no/nb/tema/statlig-forvaltning/ogp/id723530/> and contains approximately 1,600 words of dense text with links and no internal navigation. A dedicated website such as www.ogp.no and clear presentation of key information likely would be more accessible to civil society members not already motivated to learn about and engage with the national OGP process.

Depth and breadth of consultation

A record of consultations is only available for the six email submissions and the consultation held after the national action plan was launched. This makes it difficult to determine whether consultations captured a diversity of opinions and to what extent those opinions actually influenced the development of the second national action plan.

It is worth noting that all in-person consultations were held in Oslo and participation was limited. KMD notes in the draft self-assessment report, that not all of the six written proposals were reflected in the drafting of the action plan.

While written proposals indicate that some stakeholders appreciated the opportunity to be heard, one CSO nevertheless commented that the deadline for proposals was too short and that there was not sufficient civil society involvement.² This perspective was confirmed in interviews by the IRM researchers, when civil society representatives also emphasised that the consultation timing discouraged engagement, as it collided with the national summer holiday.

Additional Information

KMD reports that the Norwegian Parliament was invited to participate in one of the working groups, but the IRM did not identify any participation.

The following table illustrates the different events and communications through which the Norwegian government communicated with Norwegian civil society and other stakeholders during the preparation and implementation of the second action plan.

Date	Format	Invited	Public Announcement?	Participants	Written Record?
April 2013	Email, request for proposals	27 CSOs and organisations in the business and private sector	No	6 proposals received	Yes, of 6 proposals
6 June 2013	Dialogue Meeting hosted by KMD	The 27 individuals invited to submit proposals, plus participants in the previous OGP process	No	Unclear	No
13 June 2013	Information Meeting for ministries	Email to 115 recipients, primarily representing relevant government agencies, sent June 6 2013	Open invitation posted on KMD's website	18 representatives of ministries, and 3 civil society and IRM representatives	No
23 Sept. 2013	Email requesting comments on Draft Action Plan	Email to 114 email addresses	No	Unclear	No
2 Oct. 2013	IRM report on first action plan released for public comment				
31 Oct. 2013	Second national action plan launched				
January 2014	Implementation period begins				

1 The Open Government Partnership, *Norway's Second National Action Plan on Open Government Partnership (OGP)* by the Norwegian Ministry of Government Administration, Reform, and Church Affairs (Report, Washington, D.C., 2013); "IAP2 Spectrum of Political Participation," International Association for Public Participation, <http://bit.ly/1kMmlYC>.

2 Feedback provided by Frivillighet Norge is on file with the Independent researchers, but no longer available on the Government website.

III. Action plan implementation

The Government of Norway hosted regular meetings with relevant ministries and CSOs during the implementation period. Although these meetings appear to have provided a useful forum for input and feedback, it is not clear what input was secured or how it was used.

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

Regular multi-stakeholder consultation

Three meetings were organised following the launch of the second action plan (17 March 2015, 13 June 2015, and 17 April 2015), as shown in the table in Section II.

The meetings were announced via emails sent to between 100 and 150 recipients, representing government agencies and CSOs. These meetings were held in government facilities and were held solely for the purpose of discussing OGP. Approximately 30 participants joined each meeting. The last meeting was announced on the Ministry's website, but the first two were not. It is not clear that this announcement had any consequence on the level of participation.

Meetings generally lasted two to three hours and were composed of a series of presentations. Summary minutes from some of the meetings were circulated to participants, indicating the issues that were discussed. The minutes were circulated¹ with scanned lists of the participants, who wrote their names on sign-up sheets to indicate their participation.

IRM researchers participated in each of these meetings and observed that government agencies dominated participation, and that civil society participation was limited to three to five CSOs.

Generally, the meetings appear to have provided a useful forum for input and reflection, but this dynamic was inhibited by a lack of engagement and participation. It is not clear how much of the input received actually was incorporated into official planning processes or influenced action plan implementation.

Date	Format	Invited	Public Announcement?	Participants	Written Record?
17 March 2014	Meeting on progress of implementation	Email to 96 recipients, sent 9 March 2014	No	30 representatives of government and civil society	No
13 June 2014	Meeting on progress of implementation	Email to 158 recipients sent June 5	No	27 representatives of government and civil society, plus Paul Maassen, Director for Civil Society Engagement at	Summary note sent via email to participants

				the Open Government Partnership	
17 April 2015	Meeting to present information on the close of the 2 nd action plan and input on the 3 rd action plan, hosted by OGP Council	Email to 121 recipients sent 3 April 2015	Yes, posted on KMD website	31 representatives of government and civil society	Summary note sent via email to participants

¹ Google Doc Library, Google Drive, <http://bit.ly/1IEjSvk>

IV. Analysis of action plan contents

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to open government, including specific strategies and on-going programmes. Action plans then set out governments' OGP commitments, which stretch practice beyond its current baseline. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

Commitments should be appropriate to each country's unique circumstances and policy interests. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

Access to information

Commitments around access to information:

- Pertain to government-held information, as opposed to only information on government activities. For example, releasing government-held information on pollution would be clearly relevant, although the information is not about "government activity" per se;
- Are not restricted to data but pertain to all information. For example, releasing individual construction contracts and releasing data on a large set of construction contracts;
- May include information disclosures in open data and the systems that underpin the public disclosure of data;
- May cover both proactive and/or reactive releases of information;
- May cover both making data more available and/or improving the technological readability of information;
- May pertain to mechanisms to strengthen the right to information (such as ombudsman offices or information tribunals);
- Must provide open access to information (it should not be privileged or internal only to government);
- Should promote transparency of government decision making and carrying out of basic functions;
- May seek to lower the cost of obtaining information;
- Should strive to meet the Five Star for Open Data design (<http://5stardata.info/>).

Civic participation

Commitments around civic participation may pertain to formal public participation or to broader civic participation. They generally should seek to "consult," "involve," "collaborate," or "empower," as explained by the International Association for Public Participation's Public Participation Spectrum (<http://bit.ly/1kMmlYC>).

Commitments addressing public participation:

- Must open decision making to all interested members of the public; such forums are usually “top-down” in that they are created by government (or actors empowered by government) to inform decision making throughout the policy cycle;
- Can include elements of access to information to ensure meaningful input of interested members of the public into decisions;
- Often include the right to have your voice heard, but do not necessarily include the right to be a formal part of a decision making process.

Alternatively, commitments may address the broader operating environment that enables participation in civic space. Examples include but are not limited to:

- Reforms increasing freedoms of assembly, expression, petition, press, or association;
- Reforms on association including trade union laws or NGO laws;
- Reforms improving the transparency and process of formal democratic processes such as citizen proposals, elections, or petitions.

The following commitments are examples of commitments that would **not** be marked as clearly relevant to the broader term, civic participation:

- Commitments that assume participation will increase due to publication of information without specifying the mechanism for such participation (although this commitment would be marked as “access to information”);
- Commitments on decentralisation that do not specify the mechanisms for enhanced public participation;
- Commitments that define participation as inter-agency cooperation without a mechanism for public participation.

Commitments that may be marked of “unclear relevance” also include those mechanisms where participation is limited to government-selected organisations.

Public accountability

Commitments improving accountability can include:

- Rules, regulations, and mechanisms that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.

Consistent with the core goal of open government,” to be counted as “clearly relevant,” commitments must include a public-facing element, meaning that they are not purely internal systems of accountability. While such commitments may be laudable and may meet an OGP grand challenge, they do not, as articulated, meet the test of “clear relevance” due to their lack of openness. Where such internal-facing mechanisms are a key part of government strategy, it is recommended that governments include a public facing element such as:

- Disclosure of non-sensitive metadata on institutional activities (following maximum disclosure principles);
- Citizen audits of performance;
- Citizen-initiated appeals processes in cases of non-performance or abuse.

Strong commitments around accountability ascribe rights, duties, or consequences for actions of officials or institutions. Formal accountability commitments include means of formally expressing grievances or reporting wrongdoing and achieving redress. Examples of strong commitments include:

- Improving or establishing appeals processes for denial of access to information;
- Improving access to justice by making justice mechanisms cheaper, faster, or easier to use;
- Improving public scrutiny of justice mechanisms;
- Creating public tracking systems for public complaints processes (such as case tracking software for police or anti-corruption hotlines).

A commitment that claims to improve accountability, but that merely provides information or data without explaining what mechanism or intervention will translate that information into consequences or change, would **not** qualify as an accountability commitment. See <http://bit.ly/1oWPXdl> for further information.

Technology and innovation for openness and accountability

OGP aims to enhance the use of technology and innovation to enable public involvement in government. Specifically, commitments that use technology and innovation should enhance openness and accountability by:

- Promoting new technologies that offer opportunities for information sharing, public participation, and collaboration.
- Making more information public in ways that enable people both to understand what their governments do and to influence decisions.
- Working to reduce costs of using these technologies.

Additionally, commitments that will be marked as technology and innovation:

- May commit to a process of engaging civil society and the business community to identify effective practices and innovative approaches for leveraging new technologies to empower people and promote transparency in government;
- May commit to supporting the ability of governments and citizens to use technology for openness and accountability;
- May support the use of technology by government employees and citizens alike.

Not all E-Government reforms improve openness of government. An E-Government commitment needs to articulate how it enhances at least one of the following: access to information, public participation, or public accountability.

Recognising that achieving open government commitments often involves a multi-year process, governments should attach time frames and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments Norway included in its action plan, and analyses them for their first year of implementation.

While most indicators used to evaluate each commitment are self-explanatory, a number deserve further explanation.

1. **Specificity:** The IRM researcher first assesses the level of specificity and measurability with which each commitment or action was framed. The options are:

- High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)
 - Medium (Commitment language describes activity that is objectively verifiable, but does not contain clearly measurable milestones or deliverables)
 - Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)
 - None (Commitment language contains no verifiable deliverables or milestones)
2. Relevance: The IRM researcher evaluated each commitment for its relevance to OGP values and OGP grand challenges.
 - OGP values: To identify OGP commitments with unclear relationships to OGP values, the IRM researcher made a judgment from a close reading of the commitment's text. This judgment reveals commitments that can better articulate a clear link to fundamental issues of openness.
 3. Potential impact: The IRM researcher evaluated each commitment for how ambitious commitments were with respect to new or pre-existing activities that stretch government practice beyond an existing baseline.
 - To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative each commitment might be in the policy area. This is based on the IRM researcher's findings and experience as a public policy expert. To assess potential impact, the IRM researcher identifies the policy problem, establishes a baseline performance level at the outset of the action plan, and assesses the degree to which the commitment would impact performance and tackle the policy problem, if implemented.

All of the indicators and method used in the IRM research can be found in the IRM Procedures Manual, available at <http://www.opengovpartnership.org/about/about-irm>. One measure deserves further explanation, due to its particular interest for readers and usefulness for encouraging a race to the top between OGP-participating countries: the "starred commitment." Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

1. It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity.
2. The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
3. The commitment would have a "transformative" potential impact if completely implemented.¹
4. Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of "substantial" or "complete" implementation.

Finally, the graphs in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Norway, and all OGP-participating countries, see the OGP Explorer.²

General overview of the commitments

Following background information, a description of the process through which it was developed, and a detailed description of Norway's political culture for openness, the second Norwegian national action plan for OGP lists 25 commitments. The commitments are not grouped or categorised. After a change in government, a twenty-sixth commitment was added after the publication of the original action plan. But it was never included in a written document and is not reviewed in this report. It related to municipality reform, but IRM researchers were unable to determine further details of what this commitment was to entail.

The 25 commitments together emphasise a broad range of actors and themes, including corruption, international coordination on financial transparency, archiving, municipal transparency, and digital solutions for access to information.

¹ The International Experts Panel changed this criterion in 2015. Independent Reporting Mechanism (IRM), "IRM to Raise the Bar for Model Commitments in OGP," Blog, Open Government Partnership, 6 May 2015, <http://www.opengovpartnership.org/node/5919>.

² The OGP Explorer provides the OGP community—civil society, academics, governments, and journalists—with easy access to the wealth of data that OGP has collected. "OGP Explorer," Open Government Partnership, <http://www.opengovpartnership.org/explorer/landing>.

1. Public review and public consultation

[...] The purpose of the Norwegian public consultation system is twofold:

- · To provide the best possible basis for making public policy decisions (the quality aspect)
- · To ensure that affected parties and other stakeholders have the opportunity to express their opinions (the democratic aspect)

The Norwegian consultation process has two stages:

1. Proposals are made by government-appointed committees.
2. The proposals from such committees are submitted for public consultation.
[...]

COMMITMENT DESCRIPTION

New Instructions for Official Studies and Reports are to be drafted. The objective is to improve the basis for decisions in the public administration. The objective is to enhance the basis for public authority decisions. More efficient use of new technology is one of the means available to achieve better involvement of stakeholders and the public.

KEY IMPACT BENCHMARK

New Instructions for Official Studies and Reports are to be drafted.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, see <http://bit.ly/1QIVIja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓	✓		✓		✓				✓		

What happened?

New Instructions for Official Studies and Reports

Instructions for Official Studies and Reports are guidelines that dictate how government officials engage in consultative processes for official studies and reports, as well as other types of official investigation work. They do not apply to public consultations generally, but only consultations on official studies and reports. Thus they represent a very important measure for a very narrow type of public consultation. The previous instructions currently are being reviewed to determine what kinds of new instructions would be appropriate. The KMD contact point for this commitment reports that the work is proceeding slowly due to the need for extensive consultations with multiple ministries and agencies, but that this was expected. The contact also reported that the draft instructions are nearly complete.

More efficient use of new technology

The IRM researchers were not able to identify any use of technology or any specific intention to use technology to enhance public consultation.

Did it matter?

Norway has a tradition for top-down government administration, and while consultative processes within government and across agencies is a well-established practice, the IRM researchers have not discovered many institutional processes for public consultations with citizens. As such, this commitment is progressive and laudable, but covers a relatively narrow scope of public administration (consultation on official studies and reports and other official investigations) and should be viewed as a small and incremental step within the larger context of changing institutional culture to become more bottom-up and interested in public feedback.

The KMD contact for this commitment notes that this work would have been pursued regardless of the OGP commitment. The KMD contact also notes, however, that including this on-going work in the action plan has been useful because it articulated the intention to develop the concept of public consultations towards more open consultations.

The commitment does not specify any content to be included in the new guidelines, nor is it clear what the new guidelines will contain. It is not clear to the IRM researchers what impact the commitment would have when fulfilled, because the commitment does not indicate any substance to be included in the new guidelines.

Moving forward

While the principle underlying this commitment is laudable, the commitment itself focuses on public consultation only as it relates to official studies and reports. The scope of action dictated by such instructions (such as setting limits for minimum consultation periods for different types of government documents) is likely to have only an incremental impact on changing institutional cultures for top-down planning and administration, especially in the Norwegian municipal context.

This commitment reflects on-going political processes and would have taken place independent of OGP processes. As such, KMD decided not to include it in the upcoming national action plan, but still considers official instructions to be relevant for OGP. KMD suggests that they may be more important than other mechanisms for accountability and transparency, such as the national Freedom of Information Act (FOIA), due to the instructions breadth of scope. The IRM researchers did not find support for this perspective from interviews with CSOs, who placed a much higher premium on mechanisms such as the FOIA and Open Electronic Post Journals (see commitment 4).

2. A better overview of committees, boards, and councils - More public access to information and better opportunities for further use

The Ministry of Government Administration, Reform and Church Affairs has responsibility for keeping a record of central government committees, boards and councils. The record is available in a database that can be accessed from the Norwegian Government website, *Regjeringen.no*. The database contains information provided by the various ministries, and has no facilities for advanced searching.

COMMITMENT DESCRIPTION

Make the record of committees, boards, and councils easier to use for the general public, public administration, and research institutions.

KEY IMPACT BENCHMARK

Make the information available in the form of searchable files

ACTIVITIES

In cooperation with the Ministry of Government Administration, Reform and Church Affairs (Government Administration Services), the Norwegian Social Science Data Services (NSD) and the Agency for Public Management and eGovernment (Difi) will prepare principles for technical solutions.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓					✓			Unable to Tell from Government and Civil Society Responses			

What happened?

The Ministry of Municipality and Modernisation (KMD) reports that work on this commitment began with a preparatory phase. It is not clear what activity this includes, and the IRM researchers were not able to gather any additional information or to secure an interview with the contact point for this commitment.

The commitment is to create principles for improved functionality of a website (*Regjeringen.no*). It is not clear what form these principles would take or whether they have been established.

Did it matter?

Access to information regarding individuals' participation on government committees, boards, and councils is a good thing, and searchable online files appear to be a good solution. However, the IRM researchers were not able to identify a clear demand for this measure from stakeholders interviewed.

Nor is this clearly a priority area or priority mechanism for access to information in Norway. Recent political debates surrounding access to political documents at the municipal level (see country context) make it clear that there are other mechanisms to gain access to information on government roles. The completion of this commitment likely would have minor impact on the quality of access to information in Norway.

Moving forward

KMD's input to the Norwegian Government's self-assessment report describes the next step for this action to be the creation of a database for "collegial bodies." The IRM researchers understand this to mean boards and administrative bodies for municipal organisations. It is not clear how this relates to the commitment or whether the commitment belongs in an OGP national action plan. As this seems peripheral to the larger questions about access to information and cultivating a culture of openness in government, especially at the municipal level, this commitment should not be prioritised in future OGP action plans.

3. “Simplify” (“Enkelt og greit”)

The government’s “Simplify” project was initiated by the Norwegian Prime Minister in February 2013. [...]

The main goal of the project was, in cooperation with civil society, to identify fields or issues where the government can simplify the everyday lives of citizens.

In this project, the Government adopted a number of different working methods:

- Dialogue between the Agency for Public Management and eGovernment (Difi) and civil society organizations (NGOs)
- Consultation between the Prime Minister and representatives from civil society
- Dialogue between some ministries and the Office of the Prime Minister
- An electronic mailbox on the Internet where the citizens were able to make suggestions and comments.

These processes resulted in more than 300 proposals from citizens, NGOs and civil servants. Different ministries are responsible for the 45 commitments. The “Simplify” document has 45 commitments.

COMMITMENT DESCRIPTION

Simplify was worked out by the former government. The new government will consider this document in connection with its efforts to modernize public sector.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlJa>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
✓					Unclear				✓				Unable to Tell from Government and Civil Society Responses			

What happened?

This commitment is for the Norwegian government to consider a document produced by the former government. The document presented recommendations on how access to public services could be simplified, based on consultations with citizens.¹ The IRM researchers have not found evidence of any formal processes through which this document has been “considered.”

Did it matter?

This commitment lacks traction in the current political environment, due largely to the recent change in government. The new government is explicitly committed to many of the principles in this commitment, especially increasing the ease of interaction with

government, in particular for business. However, because the government uses different mechanisms to pursue these aims, the relevance of the “Simplify” document and this commitment is limited.

Moving forward

The focus of this initiative is on facilitating efficient government and efficient interaction with government, especially for business. While this is a laudable goal, the commitment’s relevance to OGP values of access to information, civic participation and public accountability is not clearly articulated. These are explicit political objectives for the current Norwegian Government, which is actively pursuing them through a variety of mechanisms. But these objectives are not clearly a priority area for open government in Norway and should not be prioritised in future OGP action plans.

¹ *Enkelt og Greit* by the Norwegian Government (Report, 2013), <http://bit.ly/1Lydm92>

4. Electronic Public Record (OEP) - (Offentlig elektronisk postjournal)

[...]

Electronic Public Records (OEP) is a collaborative tool which central government agencies use to publicize their public records online. Public record data are stored in one searchable database. Users can search this database to locate case documents relevant to their field of interest. Having located relevant case documents, users may submit requests to view these. Requests are sent to the respective agencies responsible for the case documents and public record entries. The agencies themselves then process requests sent to them via OEP, and reply to users directly. [...]

COMMITMENT DESCRIPTION

The OEP software has been developed on the basis of open source code, mainly based on free software, and is therefore available to other levels of governments as well as public and private institutions for re-use free of charge and without restrictions. The solution is intended to be accessible to all kinds of user groups. It has been developed in keeping with universal design principles and web development standards.

KEY IMPACT BENCHMARK

On request, Norway will share its experiences of OEP and the source code with other countries.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓					✓						✓

What happened?

This commitment does not seem to intend to improve Electronic Public Records (OEP) in any way. The commitment description notes OEP origins and states that it should be shared, and the benchmark is sharing the government's experience with OEP with other countries on demand. To date, representatives of the Agency for Public Management and E-Government (Difi) have participated in several international conferences, which would seem to have fulfilled the commitment, but these conferences do not seem to have been arranged explicitly for sharing OEP experiences. The IRM researchers were not told of any specific requests from other countries for sharing the platform or related experiences.

Did it matter?

Sharing the Norwegian Government's experience with OEP has been an on-going effort of Difi since before the action plan was drafted. Difi's contact point for this commitment

suggests that inclusion of this commitment in the second national action plan provides a small degree of accountability that otherwise would have been absent, but that the commitment itself is vague, and there is little interest in the issue nationally. According to the Difi contact, there is significant interest in the OEP internationally, which is sufficient to satisfy this commitment, but very little interest in the OEP among national stakeholders.

Moving forward

Civil society representatives interviewed by the IRM researchers indicated that OEP is a quite important mechanism for transparency and accountability in Norwegian governance. Because of the vast amount of administrative documentation and correspondence it covers, OEP provides an important alternative and complementary mechanism to the FOIA. Although civil society interviews suggest that the OEP is not as well known or accessible as it could be, the degree of OEP use or accessibility is unclear to the IRM researchers. Statistics provided by the government at <https://oep.no/content/statistikk?lang=nb> indicate very wide use (millions of releases and requests), but do not provide any insights on how requests or releases are made or by whom. Further commitments regarding the OEP in OGP action plans should consider the need to raise awareness among citizens and civil society.

Specific commitments in this regard might include holding free workshops to train civil society on using the platform or conducting user research with civil society and implementing improvements on the platform based on this research.

5. Re-use of public sector information (PSI)

[...]

COMMITMENT DESCRIPTION

1. All state enterprises are required to make public data available so that it can be used by others, i.e. published electronically in a user-friendly format.

2. The government has recently published a call for tender for a case-based, socio-economic analysis of the availability of public geospatial data in Norway. The aim of the analysis is to identify alternative ways of facilitating the publication of spatial data in comparison with the current situation. The analysis should determine which option provides the best overall economic solution. The study should be ready by Q2 2014.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
OVERALL		✓			✓			✓		✓					✓	
1. Electronically available data		✓			✓					✓					✓	
2. Study of availability of data		✓			✓			✓		✓						✓

What happened?

Requiring all state enterprise to make public data available so that others can use it

In October 2014, Norway held a hearing on the implementation of the E.C. Directive on the Re-use of Public Sector Data¹ and currently is reviewing submissions to that consultation. An evaluation process was initiated regarding the Norwegian Public Data Licensing System (NLOD), which allows users to copy, use, and redistribute licensed data with attribution of the data provider.² These are steps towards completing this action, although the Norwegian self-assessment report notes that requiring all state enterprises “to make public data available so that it can be used by others” is so broad that it must be regarded as on-going work. For these reasons, it is difficult to determine whether the commitment is completed, although the self-assessment report also notes Norway's position on the Global Open Data Index and the Open Data Barometer as evidence of progress (despite the fact that Norway's rank dropped on both Indices since the previous year).³

Tender and review a case-based, socio-economic analysis of the availability of public geospatial data in Norway

The ministry is considering the analysis, completing this action. The analysis will be used to develop an action plan for making Geographic Information System (GIS) data available in the context of sector specific work, referenced above. The IRM researchers were unable to find further information on how this is done or any specific impacts that the analysis may have had.

Did it matter?

This commitment is simultaneously impossibly ambitious (requiring all government agencies “to make public data available so that it can be used by others”) and notably unambitious (commissioning a mapping of available GIS data). However, activities attached to this commitment would have been undertaken even if the OGP action plan did not exist. Although international commitments such as the OGP provide a useful “pressure point” in regulating agencies' publication of data, KMD’s contact point for this commitment notes that it also can be strategic to deemphasise OGP, as there are several other international policy arenas relevant to this commitment in which Norway is also involved. Policy such as the European Union directives on data protection is more familiar in the Norwegian political context and can provide stronger incentives and political capital.⁴

Moving forward

KMD intends to prioritise making cultural data, transportation data, research data, geo-data and public expenses publicly available, and intends to develop action plans for each of these areas (not OGP action plans). This seems to be a reasonable approach to further work towards a commitment that is in line with national policy and on which Norway already is performing well.

Obstacles to improve the reusability of public sector data appear to be primarily about capacity of government agencies to release data, not lack of political interest. Indeed, the business case for making this type of data available seems to be widely accepted by government actors and is well aligned with the political priorities of the government in power. Improving and harmonising capacities to engage in releasing data across agencies would be a more meaningful and ambitious focus for this commitment. Specifically, the KMD should consider establishing common technical standards for data release across state enterprises and conducting specific training exercises to build the capacities of those enterprises to release public sector data.

¹ The European Parliament and Council, “Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the Re-use of Public Sector Information,” Official Journal L 345, 3 December 2003, <http://bit.ly/10cXAce>.

² “Norwegian License for Public Data,” Difi, <http://data.norge.no/nlod/no/1.0>.

³ Global Open Data Index, <http://index.okfn.org/>; “Open Data Barometer Second Edition (January 2015),” <http://www.opendatabarometer.org/>.

⁴ Thomas Nordtvedt, commitment focal point at KMD, section for ICTs and innovation, interview with the IRM researchers, 16 March 2015.

6. Access to health data

One important health policy goal is to ensure each individual's opportunity to be involved in processed and decisions concerning their own health. Easy and secure digital services shall make contact with the health and care service easier and contribute to the citizens' perception of the service as accessible and comprehensive.

Citizens shall have secure and easy electronic access to their own health records, Self-service solutions and electronic dialogue with health personnel. [...]

The services shall be available to the citizens on the national health portal, helsenorge.no. Through "My health" on the Internet, patients and users should be able to access to their own health records. Through secure channels, it will be possible for citizens to have an electronic dialogue with health personnel. Self-service solutions for electronic scheduling and renewal of prescriptions and electronic dialogue with health personnel will also be offered. Citizens shall also have access to information about available services and treatment quality. This information will be available on helsenorge.no and give the citizens assistance in finding health and care service that suits their needs. Public, non-personal data from the health sector shall be made available on helsenorge.no to support development of user-adapted, Internet-based health services and apps that the public sector will not be capable of developing alone.

KEY IMPACT BENCHMARK

Services are available on helsenorge.no. Electronic identification (eID) with high level of security is an important component in order to establish digital services for the citizens.

ACTIVITIES

Services are to be established and further improved on the health portal helsenorge.no. Collaboration between the Directorate of Health, as owner of helsenorge.no, and the health care provider's organisations is necessary to provide access to patient records.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓		✓			✓		✓					✓	

What happened?

Services are available on helsenorge.no

A number of preliminary steps have been taken towards this objective. User access to electronic prescriptions has been established on www.helsenorge.no. Access to personal

health data online has been established for 700,000 people. A pilot project of access to patient journals from hospitals has been initiated, and online appointment booking and digital health care dialogues currently are being tested with select health care institutions. Since the commitment does not specify which services, or for whom, this action can be understood as completed.

Electronic identification (eID) with high level of security

The IRM researchers were not able to determine whether an eID was included in the above services.

Did it matter?

The activities referenced in this commitment are part of a broader effort by the Norwegian Government to reform Norwegian health care policy, with a focus on reducing waiting times for access to health care and improving quality of health services.¹ The IRM researchers have found no evidence that the action plan played a role in motivating these activities. The activities, if they are completed, represent minor, but positive steps towards a very broad and ambitious goal.

There is significant political interest in this area at the moment, as well as a number of private sector actors currently working to access and capitalise on health data. However, the IRM researchers were not able to identify significant citizens or civil society demand for this data.

Moving forward

As with other commitments related to access to information, there appears to be a fundamental misalignment between the supply and demand for information. Other mechanisms (such as OEP and the Freedom of Information Act) and other types of information (such as municipal planning information) appear to be much more in demand and more appropriate as the focus of OGP commitments. The Ministry's self-assessment report indicates that this commitment will not be terminated, but will continue as part of the Ministry's on-going work. The IRM researchers recommend that this work continue, but not be included in OGP.

¹ Ministry of Health and Human Services, "Sykehustalen 2015," Press Release, Government of Norway, 7 January 2015, <http://bit.ly/1Vt00lb>.

7. Renewal of the Government's website (regjeringen.no – government.no)

Regjeringen.no is a joint portal for all of the 17 Norwegian ministries and the Office of the Prime Minister. The current solution is six years old [...].

DSS wishes to

- *improve search facilities on regjeringen.no*
- *make it easier for users to find relevant documents*
- *make it easier for users to find their way around and know exactly which websites they are visiting*
- *create a more user-friendly design.*

COMMITMENT DESCRIPTION

The objective is to deliver improvements and further development of the solution during 2013 and 2014. Ministries are taking part in the development work, and user testing is an important instrument. The changes must be made in such a way that they provide good support for the ongoing work of the ministries by introducing changes and restructuring step by step. Ministries must be closely involved in the development work, and user testing and evaluation will be carried out continuously.

KEY IMPACT BENCHMARK

The first improvements must be carried out by the end of 2014

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlJa>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓			✓		✓		✓						✓

What happened?

A redesign of Regjeringen.no began before the launch of the second action plan, and a new website was launched 15 December 2014. This would seem to complete the commitment, which called for the first improvements to the website to be delivered before the end of 2014.

Did it matter?

As stated in the action plan, the Government Administration Services (DSS) started work on improving the website before the action plan was finalised. DSS also notes that they

consider web development and improvements to the government's websites to be continuous work with no end date.

As such, this commitment represents a minor improvement in the governmental e-platform because it does not introduce a totally new arena for information sharing or interaction with citizens. Rather, it renews the platform that is already in place. The IRM researchers were unable to identify any significant complaints or demands from civil society or citizens for improvements to the government's webpage.

Moving forward

As DSS stated in their self-assessment report, the work on improving and managing the webpage is continuous, and there will always be issues subjected to revision and renewal. This is part of DSS's on-going work tasks, not worth prioritisation in the OGP process.

8. Declaration of principles for interaction and dialogue with NGOs

NGOs are independent players in civil society. At the same time, Norway has a long tradition for close interaction between the voluntary sector and the public authorities in a number of different areas. In order to promote greater predictability and a common understanding in the interaction and dialogue between the authorities and the NGOs, a declaration of principles is to be prepared. The declaration of principles is to include the role of the NGOs in Norwegian society and the special characteristics of voluntary work. The declaration of principles will be based on the fundamental principles laid down in the Council of Europe's "Code of Good Practice for Civil Participation in the Decision-Making Process" prepared by international NGOs.

COMMITMENT DESCRIPTION

The Ministry of Culture has responsibility for the work on a declaration of principles for interaction and dialogue with NGOs. The declaration of principles will be submitted to the Government.

KEY IMPACT BENCHMARK

Work is to be started on a declaration of principles for dialogue and interaction with voluntary organizations.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓			✓				✓					✓	

What happened?

On 3 September 2014, the Ministry of Culture invited civil society to a meeting on the issue. A draft of the principles was published on 5 December 2014, the U.N. International Volunteer Day, and is available in English.¹ The declaration is not a set of rules, but rather it establishes a framework for dialogue and interaction with the voluntary sector irrespective of which ministry, directorate, or agency is involved. It is intended to form part of an integrated voluntary-sector policy. Civil society representatives were invited to a summit with the government and invited to give feedback to the declaration by 5 March 2015, after the period of implementation covered by this report, at which point a revised declaration was delivered to government. This completed the commitment.

Did it matter?

Based on the information available to the IRM researchers, the activities referenced above represent a small but positive step towards better cooperation with civil society. It also

must be noted that the relationship between government and civil society in Norway is generally quite good. While there are some disagreements on policy and procedure, generally Norwegian government and civil society tend to share normative frameworks and enjoy a strong basis for cooperation.

The IRM researchers were unable to find any evidence that the Norwegian civil society had expressed a demand for these principles or that this OGP commitment played a significant role in prompting their development. This suggests that the initiative would have been undertaken independent of the OGP. None of the stakeholders interviewed by the IRM researchers were familiar with the initiative.

Moving forward

Pending further information on the content of the revised declaration, there are no clear next steps to advance openness in this area, which is already quite strong in Norway. Barring explicit demand for improvement in this area from civil society, work related to this commitment should not be included in subsequent action plans.

¹ Note that this declaration uses the terms “voluntary sector” and “civil society” interchangeably. Ministry of Culture, “The Government’s Declaration on Voluntary Work,” Press Release, Government of Norway, 5 December 2014, <http://bit.ly/1MOwPrv>.

9. Simplification and digital administration of arrangements for NGOs

[...]

COMMITMENT DESCRIPTION

The Ministry of Culture will make efforts to ensure that the requirements regarding applications and reporting for voluntary organizations are simplified where appropriate, that information concerning state grant schemes is easily available and that, in the long term, more schemes are linked to the Register of Non-Profit Organizations.

KEY IMPACT BENCHMARK

More support schemes for voluntary organizations are, in the long term, to be linked to the Register of Non-Profit Organizations.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓		✓					✓					✓	

What happened?

The Ministry of Culture's self-assessment reported that an overview of grant schemes for volunteer organisations was published at regjeringen.no/frivilligtilskudd and that a guide for how to improve grant schemes for children and youth organisations was published in March 2014.¹

Simplified requirements for applications and reporting

A guide for one specific sector has been released, and a list of proposed application procedures to be simplified has been published on the ministry's website.² However, the IRM researchers were not able to find details on how application procedures are to be simplified or specific examples of requirements for applications and reporting that have been simplified, improved, or otherwise changed.

More support schemes linked to the Register of Non-Profit Organisations

The IRM researchers were unable to find evidence that work has been undertaken towards this objective.

Did it matter?

This commitment represents an effort to improve the efficiency of civil society's engagement with government. Clear processes are a good practice in communication between civil society and the government, but if this commitment is fulfilled, it will not

change the basic mode of operation or create a new platform for interaction between civil society and the government. As mentioned in regard to other commitments, the relationship between the Norwegian government and NGOs is generally quite good and productive. Although there are certainly examples of frustrations regarding processes and priorities, the IRM researchers consider this to be inherent to relations between funders and recipients, and they found no indication that there was a widespread demand by civil society for the simplification of these processes.

Moving forward

The Ministry's self-assessment report suggests that civil society will be consulted regarding further steps to address on this commitment. Consultation could be an important first step to ensuring that work in the area of civil society engagement addresses actual challenges and needs, which is not clearly the case for this commitment.

¹ The link provided by the government for this publication is no longer functional.

² Ministry of Culture, "Easier Grants for NGOs," Government of Norway, 12 December 2014, <http://bit.ly/1DnGbtv>

10. Registering and preserving digital documentation produced by public bodies

[...]

COMMITMENT DESCRIPTION

Automated and specialized case management systems used by public bodies will include archive functions that link to documents and associated metadata, and store these in accordance with approved standards. These functions will ensure preservation of digital documentation in the short and long term as well as transparency and freedom of information.

Consideration will also be given to establishing joint solutions for preserving and making available digital documentation as soon as it is no longer in active administrative use. This will ensure both continued transparency and public confidence that such documentation is retained in its authentic form.

KEY IMPACT BENCHMARK

In work on revision of the Archives Act, consideration has been given to the recommendation of the white paper on archiving, Meld. St. 7 (2012-2013), that the creation of archives should be a statutory function of all electronic systems for public documents of archival value. Standards and standardized solutions have been developed within the framework of a broad cooperation between actors in both central government and municipal administration.

ACTIVITIES

Revision of the Archives Act.

Broad cooperation project on archives in e-administration including principles, methods, standards, systems solutions and organizational solutions.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓					✓				✓		

What happened?

Creation of archives should be a statutory function of all electronic systems for public documents of archival value

Work towards this objective is executed through the National Archives' (*Riksarkivets*) SAMDOK project. It is intended to facilitate coordination among archive institutions on a

voluntary basis, through representative working groups in the private sector, the municipal sector, and in digital procurement (*e-forvaltning*).¹

Within SAMDOK's three main working groups, there are 14 tasks implemented by a diverse group of public and private institutions. As far as the IRM researchers are able to determine, the 14 tasks included within SAMDOK generally concern mapping of archiving practices and opportunities for collaboration among various private and public bodies that engage in archiving activities. The challenges and details related to these projects are highly specific, having to do with technical standards and institutional procedures. The IRM researchers were unable to identify any projects directly related to open government themes. The IRM researchers also were unable to identify SAMDOK activities with explicit relevance to accountability or access to information, although in general, archiving of public information is important to both.

The SAMDOK project is widely regarded as a success, especially regarding the degree of collaboration on archiving standards across sectors. This programme was initiated independently of the OGP process and will continue to be implemented independently of the OGP process. The IRM researchers were unable to identify any civil society actors who felt that this was a priority area for open government in Norway.

Revision of the Archives Act

The Ministry of Culture and the National Archives have established a working group to consider adjustments to the relevant regulations. The IRM researchers were unable to identify any specific plans for specific revisions to the archives act.

Did it matter?

The two actions described in this commitment introduce new activities in the area of archiving, both of which appear to have been initiated independent of the action plan. None of the civil society representatives consulted by the IRM researchers were familiar with these initiatives, and none said that they were important to openness and accountability in Norway.

Moving forward

Work on both of these areas likely should proceed as planned because they will have positive consequences for Norwegian governmental efficiency, but they are not clearly priority areas for OGP. Further, given the lack of demand from citizens and civil society, they should not be included in subsequent action plans.

¹ SAMDOK, <http://samdok.com/about/>.

11. The Norwegian Citizen Survey (*Innbyggerundersøkelsen*)

The Norwegian Citizen Survey is both a citizen survey and a customer satisfaction survey. It is one of the largest surveys of public services in Norway. The first survey was launched in 2010, the second in 2012-2013. The plan is to complete the survey every second year. [...]

The results of the survey are fully transparent, and the results are free for all Agencies/Municipalities and citizens to adopt and use and re-use. The response rate in 2012-2013 was 41%. [...]

KEY IMPACT BENCHMARK

1. Norway will carry out a third citizen survey in 2015.
2. The results shall be free for all Agencies/Municipalities and citizens to adopt and use and re-use

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
				✓	✓				✓						✓	

What happened?

Norway will carry out a third citizen survey in 2015

The survey was conducted in 2015 as planned, although after the implementation period assessed by this report. The survey includes a module assessing individual satisfaction with 23 national and municipal services in the areas of education, health and culture.

The results shall be free for all agencies, municipalities and citizens to adopt, use, and re-use

Results of previous surveys are available for download and re-use. The IRM researchers expect that this will be the case for the 2015 survey.

Did it matter?

This survey provides a good basis for assessing and analysing public opinion regarding welfare services and public offices. However, the Difi contact point for the survey notes that the significant amount of bureaucracy and routines surrounding the survey means that there are no clear entry points for the OGP to influence its development or implementation. OGP has not had influenced how the survey has been developed or implemented. KMD reports significant engagement between the survey and relevant ministries and public agencies, including direct reference of survey data in strategic processes. KMD also notes

that survey data has been reported in media articles. The IRM researchers do not have information on whether or how survey data has been used specifically to inform policy or governance processes related to open government values.

Moving forward

While it is useful to collect information on how citizens and residents experience the quality of government services in Norway, it is not clear how this information is being used, or could be used, to improve services and support more open government in Norway. The IRM researchers recommend conducting an assessment to determine how results of this survey are being used to improve policy and governance, as well as what adjustments to the survey might increase uptake by policy-makers. The IRM researchers also suggest adding additional questions or an additional module to identify which open government-related issues and challenges are priorities for Norwegian citizens.

12. Whistleblowing

An evaluation is being carried out of the rules concerning whistleblowing. The evaluation is being conducted by an independent body. A reference group has been established for this project, with participation by the social partners.

The final report of the project is to be published by the end of 2013. The evaluation will subsequently be followed up by the Ministry of Labour, and any needs for amendments will be considered in that connection.

COMMITMENT DESCRIPTION

An independent evaluation of the whistleblowing rules will be carried out.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓				✓			✓						✓

What happened?

Conduct evaluation on the rules concerning whistleblowing

An evaluation of whistle-blower rules was carried out in the first half of 2013, before the second national action plan was finalised. The evaluation noted that Norwegian regulations did not meet international standards on whistle-blowing.

Final report will be followed up by the Ministry of Labour

The Ministry of Labour currently is reviewing the report and will consider follow up. The commitment appears to have been fulfilled.

Did it matter?

The evaluation of the whistleblowing rules was decided upon and largely conducted before the second action plan was finalised. Therefore, the commitment did not influence the Ministry of Labour's work on this issue. This is, nonetheless an important policy area for open government in Norway, and recent whistleblowing events have provoked significant critique from civil society. At the moment, Norwegian whistleblowing law places the onus of proof on the whistle-blower, rather than on the responsible legal entity. This does not meet international best practices for whistleblowing regulations, as was stated clearly in the assessment delivered to the Ministry of Labour.

Moving forward

This commitment merits further attention, and civil society representatives interviewed by the IRM researchers have emphasised how important whistle-blower protection is for Norway. The Ministry of Labour should adopt progressive and ambitious actions on the

basis of its review, including a shift of burden of proof from whistle-blowers to the responsible entity. This should be included in Norway's next action plan, with clear details and ambitious objectives.

13. Strengthened information exchange for more efficient crime prevention and combating

[...]

COMMITMENT DESCRIPTION

Norway aims to achieve better coordination of information on combating crime. [...] initiatives have already been taken in several arenas, and follow-up of this work is continuing. No amendments to specific rules are under consideration. The objective is that the police and other actors will give priority to information exchange and cooperation, and exploit the potential of current legislation.

ACTIVITIES

Pilot projects will be carried out on the cooperation between the police and other actors. An evaluation will be made of cooperation in bodies for cooperation and coordination between the police and the local authorities (politiråd) in order to further develop such bodies as arenas for information exchange.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlJa>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			Unclear					✓				✓		

What happened?

Police and other actors will give priority to information exchange and cooperation

The IRM researchers were not able to secure evidence that the Norwegian police and other actors have prioritised this.

Pilot projects will be carried out through the cooperation between the police and other actors

The Norwegian self-assessment report provided by the Ministry of Justice contact point references pilot projects organised in collaboration with a private sector advisor in the National Criminal Investigation Service, but does not provide any details, and the IRM researchers were unable to determine what these projects were. It is not clear if the National Criminal Investigation Service constitutes the “other actors” referred to by the commitment or if this language is intended to refer to private sector actors. The self-assessment report also indicates that this collaboration was positive and will lead to the establishment of permanent positions in police districts that will aim to maintain contact

with the private sector. The positions will constitute a network to assist the private sector in preventing corruption.

An evaluation will be made of cooperation and coordination between the police and the local authorities

IRM researchers were unable to identify any information about a formal evaluation.

Did it matter?

The capacity of the Norwegian government and police to enforce economic criminal accountability is an important issue for Norway. Prominent series of investigations in the most popular Norwegian daily newspaper¹ have suggested the Norwegian government has poor controls for avoiding corruption in procurement, especially with regard to identifying companies with a record of corruption. The IRM researchers were not able to determine whether this commitment had meaningful impact on how the issues are regarded by relevant actors or whether it motivated the pilot projects and network development referenced above. The actions are a modest step towards increased controls and accountability for economic crime, but their relationship to the OGP commitment is unclear. Without a clear relationship between the actions and the commitment, the commitment's relevance to OGP values remains unclear.

Moving forward

Information about any pilot projects should be made public and shared with CSOs working actively on issues of economic corruption in Norway. Additional plans for information sharing and any other work in this area also should be shared. As written, however, this commitment's relevance to open government values is unclear, and the commitment should not be continued in further action plans.

¹ Kjell-Ivar Grondal, "Police Make Major Crackdown on Construction Industry," Stavanger Aftenblad, 6 May 2015, <http://bit.ly/1hgfNXT>; Einar Haakaas and Siri Gedde-Dahl, "Warnings Against Undeclared Work and Mafia Development in Vestfold," Nyheter, 23 August 2014, <http://bit.ly/1LomiGj>

14. Strengthening the transparency of public authorities and administration

a) *Removal of the exception provision for public sector companies with no employees.*

Pursuant to section 1, second paragraph (a) of the Freedom of Information Regulations, the Freedom of Information Act shall only apply to independent legal persons with employees permanently employed in administrative posts. The background for this was that such legal persons often have no-one who can practise and follow up the Act, cf. the Royal Decree of 17 October 2008, pages 63–64. Many companies have proved to be organized in such a way that, while they have no employees of their own, they are managed by employees of parent companies, subsidiaries, external consultants, etc., and that a number of such companies have considerable turnover. [...]

b) *Better practice of the Freedom of Information Act*

[...]Regular courses and lectures are held on practice of the archive legislation and the Freedom of Information Act. This will be continued. Transparency International Norway has proposed that “as part of the forthcoming evaluation of the Freedom of Information Act, consideration should be given to whether penalties may help in ensuring better practice of and compliance with the intentions of the Act”.

COMMITMENT DESCRIPTION

- *Norway will consider the need for amendments to section 1, second paragraph (a), of the Freedom of Information Regulations. However, it is not possible to predict with any certainty whether any amendments will be made or what such amendments would consist of.*
- *During follow-up of the evaluation of the Freedom of Information Act, consideration will be given to whether the question of the provision of separate penalty provisions in the Freedom of Information Act should be raised. However, the researchers who are to conduct the evaluation will not consider this question.*
- *The work on training in the practice of the archive legislation and the Freedom of Information Act will be continued.*

KEY IMPACT BENCHMARK:

- *Courses and lectures will be held on how the archive legislation and the Freedom of Information Act shall and should be practiced.*
- *During follow-up of the evaluation of the Freedom of Information Act, consideration will be given to whether the question of the provision of separate penalty provisions in the Freedom of Information Act should be raised. However, the researchers who are to conduct the evaluation will not consider this question.*
- *The Freedom of Information Act shall be evaluated by an independent body. In connection with evaluation, the main emphasis is to be placed on whether the intention of greater access to information has been met. During the evaluation, particular attention will be devoted to the practice of the exemption from access to internal documents.*

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓				✓					✓		

What happened?

Consider the need for amendments to section 1, second paragraph (a), of the Freedom of Information Regulations, including the need for separate penalty provisions

Amendments to FOIA have been discussed to remove the limitation of its applicability to legal entities with full-time, administrative employees. This would significantly broaden FOIA's applicability, especially in municipal governments. According to the Ministry of Justice's input to Norway's self-assessment report, consideration of amendments to FOIA is in preparatory phases, and it is unclear when an evaluation will be feasible.¹ The IRM researchers have not been able to determine more about this preparatory phase. The Ministry contact reports that it was difficult to begin the evaluation due to a number of bureaucratic and procedural issues. The contact reports that the evaluation is now underway, although it has not yet produced meaningful insights.²

Continued training in the practice of the archive legislation and FOIA

The Ministry of Justice reported that regular courses and lectures have been held on the implementation and practice of the archive legislation and FOIA. The Ministry also reported that, in the future, this commitment will be continued through Difi and will be held online, not in person. The Ministry's contact expressed concern that the quality of courses offered would suffer as a consequence.³ The IRM researchers were unable to obtain information from government on the scope and reach of the courses and lectures held.

Did it matter?

Norwegian CSOs interviewed describe FOIA as a keystone of Norwegian accountability, but one that is not well known or used. Recent events suggest that in some areas, for example in the defence sector, where FOIA is not easy to use and requests are rarely fulfilled. Anecdotal evidence referenced in interviews the IRM researchers had with civil society also suggests that FOIA is not consistently understood or prioritised in different government agencies.

FOIA is a critical piece of legislation for Norwegian governance and accountability. Evaluation of FOIA is an important, regular activity. But, because the commitment is currently worded, no specific or ambitious activities are attached to that evaluation. Training on FOIA also is important, but it is poorly defined in this commitment. The Ministry emphasised that the way in which training is carried out has a tremendous influence on how impactful the training will be.

This commitment appears to have been initiated and executed completely independently from the OGP action plan.

Moving forward

Further efforts are needed to raise awareness about FOIA across ministries and government agencies. Training activities also should be conducted broadly across relevant agencies and should be integrated into other training to ensure coverage.

Discussions with Norwegian civil society and journalists suggest that FOIA requests often are rejected out of hand, but that repeated filing of the same request can often result in a successful application. Although it is possible to appeal denials of FOIA requests, it is not possible to appeal a lack of response, and there are no sanctions in place to encourage agencies to respond to requests. This suggests that FOIA implementation could be strengthened more generally. To inform implementation, the training, and awareness-raising activities, the Norwegian government should conduct an assessment of FOIA requests to identify the conditions under which they are approved and rejected.

Such activities should be included in an ambitious commitment for freedom of information in future action plans.

¹ Ministry Justice, input to national self-assessment [not publicly available], via email to IRM researchers, 16 April 2015.

² Ole Knut Løstegaard, commitment focal point at the Ministry of Justice, legal section, interview with the IRM researcher, 18 March 2015.

³ Ministry Justice, input to national self-assessment [not publicly available], via email to IRM researchers, 16 April 2015.

15. eGovernment with an end-user focus

[...]

COMMITMENT DESCRIPTION

The Agency for Public Management and eGovernment's (Difi) strategy is to have a user-centric approach to digital service development. Service innovation and implementation will be based on knowledge derived from contact with end users. By 2014 Difi will develop guidelines for the screening of digital public services with a user-centred approach. Difi will also conduct user-centred studies to analyse obstacles to use and suggest improvements. Results and resources will be made available to all stakeholders involved in service innovation, production and implementation.

KEY IMPACT BENCHMARK

Difi will develop guidelines for the provision of digital public services with a user-centred approach.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓		✓				✓						✓	

What happened?

Difi has developed guidelines for the evaluation of digital services, which have been used to evaluate 52 digital services. The results of these screenings are available at <http://kvalitet.difi.no/resultat>. Open consultations also have been held, soliciting 125 comments on digital services, which are available at <http://kvalitet.difi.no>. The IRM researcher found no public record of user studies. KMD reports that they are not public due to privacy concerns.

Did it matter?

The development of new guidelines represents a new action that does not simply continue the efforts of previous decisions. While producing guidelines for evaluation of public services is a commendable step towards improving services, this process has not been public facing. Moreover, it is not clear whether this activity was prompted by the second national action plan or independently. Either way, although the quality of guidelines can be important for setting standards, it is worth noting that this commitment does not introduce any changes in actual access to information or ease of public participation. Therefore, the commitment maintains the status quo.

Moving forward

Difi will conduct an evaluation of public websites and digital services on a regular basis. The next round will be in 2015-2016, and the guidelines will be revised on a regular basis. The IRM researchers recommend that the next national action plan focus on how evaluations and guidelines are used to increase accessibility and participation.

16. Plain Legal Language

A survey (telephone interviews) in 2009 revealed that two out of three Norwegian citizens thought that the public sector does not write in plain language and found public forms difficult to fill in.

The Norwegian Plain Language project was formally launched in March 2009 with the aim of stimulating public agencies to adopt good and user-friendly language.[...]

COMMITMENT DESCRIPTION

Norway has decided to look into the origin of unclear language through a separate project called "Plain Legal language".

In this project, we will examine some Acts and reformulate them in plain language. Preference will be given to Acts that are important to citizens and Acts that affect many citizens. The aim of this work is to devise a general method that can be used in the future, both when drafting new Acts and amending or revising existing Acts. We aim to begin examining the first two Acts before 1 July 2014.

Key Impact Benchmark:

We will begin examining the first two Acts before 1 July 2014

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓					✓						✓

What happened?

The Plain Legal Language project was initiated through ministry collaboration as a sub-project of the Plain Language Project in 2011. To date, the project has identified four laws whose language will be clarified (the Education Act, the Inheritance Act, the Law Governing Personnel in the Defence Sector, and the Adoption Act)¹ and a conference on clear legal language has been held.² The IRM researchers were unable to identify any timeline according to which these laws would be reformulated, although KMD has referenced their existence within the four individual ministries. The commitment as written is contradictory because the commitment is to examine and reformulate acts, but the impact benchmark is to "begin examining some acts." It is thus not entirely clear whether the commitment is fulfilled. The IRM researchers assumed the lowest threshold ("begin examining") and consider this commitment fulfilled.

Did it matter?

Norwegian legal language generally is understood to be cumbersome and challenging for non-experts, as was documented in the governmental survey. This motivated the Plain Language Project. If this project were to lead to more accessible legislation, that would be a positive development. However, as indicated by the stakeholders to the IRM researchers and in the Norwegian media, it is not clearly a pressing issue for open government or government accountability. The commitment to “examine some acts and reformulate them” also is not ambitious.

The IRM researchers feel that plain legal language is important, but only should be included in future action plans to the extent that it explicitly relates to OGP values, and only through clear and explicit commitments.

Moving forward

The IRM researchers see no clear action points moving forward and assume that this work will proceed positively of its own accord, without inclusion in the OGP framework.

¹ “Klart lovsprak,” Difi, <http://bit.ly/1aZoROA>.

² “Lovsprakskonferansen 14. April 2015,” Difi, <http://bit.ly/1GFAreJ>.

17. Norwegian Grants Portal (MFA)

The Ministry of Foreign Affairs' grants portal is published on the Ministry's web page. The grants portal provides an overview of all signed grant agreements by the Ministry and Norad with planned or actual disbursements for 2013 and the coming four years. The portal gives easy access to data in line with the principles and objectives of IATI. The overview shows the countries in which the grants are to be used, the grant recipients the Ministry and Norad have entered into agreements with, and the sectors that are to receive funding. [...]

COMMITMENT DESCRIPTION

The data in the Ministry of Foreign Affairs grants portal at the Norwegian Government website complies with IATI, and is updated monthly.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
				✓	✓				✓							✓

What happened?

Norwegian Government grant portal complies with International Aid Transparency International (IATI)

The IATI standard is a data standard which dictates the structure in which information on international aid is structured and presented. After the IATI standard was introduced, the Norwegian grants portal was redesigned to comply with that standard and, according to the Norwegian government, is now compliant.

Norwegian Government grant portal is updated monthly

KMD reports that the grants portal is updated on a monthly basis.

Did it matter?

As with other commitments, this appears to represent a fundamental misalignment between supply and demand for information in the Norwegian governance context. There is a vigorous national debate about the efficiency and allocation of foreign aid, and several recent critical reports from the national Auditors Office.¹ However, the IRM researchers were unable to find any evidence of demands for IATI compliance in a national accountability context or to find people who actually use the Norwegian grants portal for accountability purposes. Nor is it clear that the grants portal has the functionality necessary to make it a useful accountability tool.

Moving forward

To determine how the grants portal could be made a useful tool for enhancing national accountability for international aid, the Norwegian Government should hold consultations with the National Auditor's Office and *Bistands Aktuelt* (the primary journalistic publication on the Norwegian aid industry). Efforts also should be made to determine how this information is accessed and used by actors in aid recipient countries. This information should be taken into consideration when updating or redesigning the service. The Norwegian Government should provide a public record of the consultations and their plans to improve the grants portal.

¹ See, for example, "Bistand Til Ren Energi Har Gitt Fa Resultater," Office of the Auditor General of Norway, <http://bit.ly/1PT8QrG>; "Riksrevisjonens Undersokelse Av Bistand Til Godt Styresett Og Antikorrupsjon I Utvalgte Samarbeidslad," Office of the Auditor General of Norway, <http://bit.ly/1O9gcZ6>.

18. An international convention or agreement on financial transparency

[...]Norway will initiate an international dialogue on stricter rules for financial transparency, for example, in the form of a convention or agreement. The work will be long-term and promote the normative agenda of financial and economic transparency. Norway will build a common understanding with like-minded countries about what such rules might entail. The objective of the dialogue will be to develop rules to promote transparency in international financial transactions in order to help prevent the illicit financial flows. It may involve obligations to register and exchange information on financial transactions across borders or mutual legal assistance in tracking the flow of money.

[...]To assess the need for and the content of a possible convention or agreement, it would be appropriate to have an international dialogue. This dialogue will aim to identify the relevant forums to develop new rules and the subsequent enforcement procedures, strategic alliance partners. The content of any obligations must be adapted to national legislation and obligations under other conventions such as the EU/EEA regulations. Objections of a procedural nature, including the costs of possible new reporting obligations, must be considered.

COMMITMENT DESCRIPTION

The Government will initiate an international dialogue on stricter rules for financial transparency.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete	
		✓			✓		✓			✓							Officially Withdrawn

What happened?

The second national action plan indicated that work towards this commitment would be long-term and aim to promote the normative agenda of financial and economic transparency. Preliminary talks with other countries have nevertheless showed little international support for such an initiative, according to ministry officials and Norwegian civil society. In January 2014, the Ministry decided to end their work for promoting a convention. The commitment was thus withdrawn, despite the fact the commitment is only for the government to initiate a discussion and could have been considered completed.

Did it matter?

This commitment would have been very ambitious if it set out to create a new international agreement on illicit financial flows. However, it only aimed to initiate an international

dialogue on this issue, and that dialogue was abandoned. It is also worth noting that the Ministry of Foreign Affairs commissioned a draft convention from the International Law and Policy Institute half a year before the second action plan was finalised, so activity towards this commitment was initiated independently of the OGP action plan.

Moving forward

Abandoning work towards an international convention was justified given the lack of political traction among other countries, and civil society has applauded Norway's alternate focus on specific mechanisms in this area, such as the country-by-country reporting mechanism (which is the subject of commitment 24 in the second action plan).¹ This commitment should be reformulated in future action plans to pursue more modest and realistic goals than an international convention, such as facilitating implementation of the country-by-country reporting mechanism or developing mechanisms to support better reporting to Extractive Industries Transparency Initiative (EITI).

¹ Borghild Tonnessen-Krokan, "Vil Regjeringen Be Selskaper Rapportere om Skatteparadis?" Nye Meninger, 12 June 2015, <http://bit.ly/1LonyJe>.

19. Reducing conflicts of interests – Post-employment regulations

[...] The regulations apply to those who have decided to take up a new post or have accepted duty outside the state sector or intend to start up a business. The aim of the regulations is to avoid conflict of interest, unfair competition and decrease of confidence in the state sector. The regulations may be imposed if there is a clause in the employee's working agreement (or in the appointment document for ministers and state secretaries).

[...] In 2005, Norway also introduced regulations (temporary disqualification) for politicians moving to positions as top civil servants in the ministries.

COMMITMENT DESCRIPTION

Norway will consider formalizing the three sets of post-employment regulations by law rather than as a clause in the employee's contract of employment (or the appointment document for ministers and state secretaries).

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
	✓						✓		✓							✓

What happened?

The potential misuse of political influence following the termination of political office has been a topic of concern. The danger of “revolving doors” between political office, private sector positions, and lobbying positions also has been a topic of concern in Norwegian media.¹ This attention led to a parliamentary hearing and the proposal of a legal amendment to the Norwegian Post-Employment Regulations, which specified quarantine periods for politicians and civil servants. It was submitted to parliamentary leadership on 18 December 2014.

Did it matter?

As with many of the commitments in this action plan, this commitment is quite vague, which makes it difficult to evaluate progress towards completion or to estimate potential impact if it had been completed. Establishing clear rules for political quarantine is an important to prevent the perceived or real abuse of political position in the Norwegian political context. Establishing clear rules also has been the subject of international pressure from actors such as the European Council.² A review of the existing legislation, and proposals for new legislation is an appropriate first step.

Moving forward

The proposed legal amendment has been received positively by civil society and now should be enacted into law.

¹ Discussions surrounding the Communications Consultancy firm, First House, have been exemplary. "Takker Mediene for Suksessen," Dagens Naeringsliv, <http://bit.ly/1iRHesa>.

² NTP, "Nytt Krav Om 'First House-Register,'" Nyheter Okonomi, 21 July 2014, <http://bit.ly/1YV2WMT>.

20. Centre for Integrity in the Defence Sector

As part of the Ministry's strong emphasis on integrity, transparency and accountability, the Ministry of Defence has established the Centre for Integrity in the Defence Sector in Oslo.

The centre will be a knowledge and competence centre and will focus on the development of good governance by building integrity, especially in terms of institution building and preventive anti-corruption efforts.

COMMITMENT DESCRIPTION

The centre will operate as a resource for the Norwegian defence sector, and will also work closely with our allies in NATO, NATO partner nations, and relevant national and international organizations. As such, it will be an important Norwegian contribution to further progress in this vital area; building integrity, increasing transparency and reducing the risk of corruption.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
	✓						✓		✓						✓	

What happened?

Operate as a resource for the Norwegian defence sector

The Centre was established in 2012 before the second action plan was finalised. The IRM researchers understand several of the Centre's activities to be relevant to this commitment, such as the training of military personnel and the publication of training guides. The targeted audiences for these activities appear to be primarily international audiences (often NATO forces). KMD reports in the government's self assessment, "The Centre has been instrumental in introducing anti-corruption efforts as an integral part of Norway's Military Operational Doctrine and has introduced modules on integrity and anti-corruption at the Norwegian Joint Staff College." Although the IRM researchers were unable to confirm any specific actions focusing on the Norwegian context, there is no reason to doubt that the Centre for Integrity in the Defence Sector also operates as a resource in the Norwegian defence sector.

Work closely with allies in NATO, NATO partner nations, and relevant national and international organisations

The Centre has engaged in a number of international activities, including publications on good governance in the defence sector (in English), two international conferences, and the implementation of a NATO training course. Interviews with the commitment contact indicate that the Centre feels this has been quite successful.

Did it matter?

This commitment does not prescribe any new activities, nor does it appear to have had a significant impact on national integrity in the defence sector. Civil society representatives suggest that the Centre should have a greater focus on national integrity systems and anti-corruption systems. They cite a number of recent scandals in the defence sector and the defence sector's weakness in responding to FOIA requests as evidence that there is a significant national demand.¹

Moving forward

The Centre should identify how it can work closely with national defence actors, such as the Ministry of Defence, to improve integrity and the quality of accountability in Norway. Obvious important points of entry would include procurement rules and management of FOIA requests. The Centre should consult civil society on these issues and publish an action plan to conduct national integrity work.

¹ Tore Bergsaker and Kristoffer Egeberg, "Skjult Salg av RIB Vekket ny Korrupsjonsmistanke," Dagbladet, 22 June 2015, <http://bit.ly/1RkSgC1>; Maren Orstavik, "Krever at Departementene Redegjør for Innsynsbehandlinger," Kultur, 28 June 2015, <http://bit.ly/1RKLnZo>.

21. Modernising public governance

[...] The purpose of this initiative is to clarify objectives and priorities, clarify roles and responsibilities, reduce unnecessary reporting, and promote better leadership and more efficient central government agencies, among other ways, by means of better exploitation of ICT and by better interaction and coordination across sectors and administrative levels.

COMMITMENT DESCRIPTION

The Government will consider various measures to promote a more implementation-oriented and result-oriented administration. These measures will aim to strengthen interaction and coordination across agencies and sectors and across administrative levels. This will help in ensuring that central government agencies are better managed, and that they make greater use of ICT than they do today.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
✓					Unclear				✓				Unable to Tell from Government and Civil Society Responses			

What happened?

Consider various measures to promote a more implementation-oriented and result-oriented administration

The IRM researchers were unable to determine what would qualify as “consideration,” “various measures,” or “promote,” and were thus unable to determine work executed this commitment.

Ensure that central government agencies are better managed, and that they make greater use of ICT than they do today

The IRM researchers were not able to determine whether the central government agencies were better managed or made greater use of ICT as a result of this commitment.

Did it matter?

In its broad formulation, better management and greater ICT use by central government agencies would certainly matter, but IRM researchers were unable to determine what this commitment actually implied.

Moving forward

KMD initiated a Programme for Better Governance and Management of the State (available at <http://blogg.regjeringen.no/bedrestyringogledelse/>), which is scheduled to be

implemented in 2014-2017. KMD has expressed great optimism about the potential for this programme, which directly addresses several core OGP values. To the extent that activities from this programme are to be included in future action plans, they should be manifest in clear, measurable, and meaningful commitments, which stretch ambition beyond what has been planned or implemented already.

22. Transparency in the management of oil and gas revenue

[...]

COMMITMENT DESCRIPTION

Norway will, in 2014-15,

- Continue to live up to the Extractive Industries Transparency Initiative (EITI) principles and support the EITI International Secretariat and developing countries' EITI implementation, through both bilateral and multilateral programmes.
- Strengthen the Oil for Development programme (OfD), the largest development programme of its kind in the world, providing support and guidance to more than 20 developing countries on management of petroleum resources.
- Promote the development of a "transparency guarantee", securing natural-resource-rich poor countries access to extractive company accounting information necessary to levy the right amount of tax.
- Consider adopting a country-by-country reporting system for the extractive sector.
- Work to strengthen financial sector transparency generally, for instance by working against typical tax haven practices of concealing beneficial ownership and financial transaction information and by supporting tax information exchange.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓					✓			✓				✓		

What happened?

Continue to live up to (EITI) principles and support the EITI Secretariat and implementation

Norway is a member of the EITI and has hosted the EITI International Secretariat in the Norwegian Directorate for International Aid since 2007. The IRM researchers were unable to identify specific activities related to this goal outside the scope of Norway's on-going activities. It is not clear to the IRM researchers what this commitment was intended to achieve, aside from highlighting Norway's involvement in the EITI.

Strengthen the Oil for Development

Oil for Development is an aid programme initiated by the Norwegian Government in 2005. It intended to share the Norwegian Government's experiences managing oil resources with oil-producing developing countries. Norway supports developing countries under this programme through grants and institutional cooperation. The IRM researchers were unable to identify specific activities related to this goal outside the scope of Norway's on-going activities.

Promote the development of a "transparency guarantee"

The IRM researchers were unable to identify specific activities related to this goal.

Consider adopting a country-by-country reporting system for the extractive sector

A country-by-country reporting system was fully implemented on 1 January 2014. This system requires Norwegian registered companies to report profits, expenses, tax and employees for each country in which they operate, in an anti-corruption effort to track money hidden in tax shelters around the world. Additional information is available below in this report's section on commitment 24, which is focused specifically on the country-by-country reporting system.

Work to strengthen financial sector transparency generally, for instance by working against typical tax haven practices

Norway is generally a strong advocate for financial sector transparency, and there are a few activities that reasonably could fall under this commitment. One worth noting is the parliamentary motion, initiated in 2012, to require companies to disclose information on beneficial ownership. Beneficial ownership is when individuals benefit from ownership of companies, but are not listed as owners, for example, due to complex corporate ownership structures. The IRM researchers were not able to identify specific activities undertaken towards this milestone within the action plan implementation period.

Did it matter?

Together, these individual benchmarks provide a survey of the work Norway is doing already on oil and gas transparency, independent of the OGP. While this work is important, it does not seem that its inclusion in the OGP process mattered. None of these commitments directly address transparency of the Norwegian oil and gas sector working within Norway, and only two of the five benchmarks address Norwegian corporate activities abroad. As such, these benchmarks do not appear to have a significant potential for impact in Norwegian open government. (For further information on country-by-country reporting, see commitment 24.)

Moving forward

The commitment as it is currently formulated is not specific enough to be assessed. Further OGP commitments in this area should move beyond work that Norway is doing already. Moreover, future commitments should be divided according to separate activities and should focus on national, rather than international, transparency and accountability.

23. Transparency in the management of the Government Pension Fund (GPF)

Transparency is also a central principle in the management of the Government Pension Fund (GPF). The GPF comprises the Government Pension Fund Global (GPFG) and the Government Pension Fund Norway (GPFN) which are both instruments for general savings on the part of the State. The Ministry of Finance has the overall responsibility for the management of the two funds and submits a white paper on this every year. [...]

Norges Bank reports quarterly and annually on the management of the Fund [...]

Parliament has appointed the Supervisory Council of Norges Bank. The Supervisory Council supervises the Bank's operations and ensures that the Bank is compliant with the rules governing the Bank's activities, including the management of the GPFG. [...]

Companies shall be excluded from the investment universe of the Fund, pursuant to the guidelines for the Fund, if they are involved in production or undertakings that imply an unacceptably high risk that the company contributes to grossly unethical activities. The exclusion mechanism is handled by the Ministry of Finance after receiving recommendations from a separate body, the Council on Ethics. Information on the work of the Council is made public, as are the Council's recommendations to the Ministry of Finance which is published when the Ministry of Finance has reached a decision [...]

COMMITMENT DESCRIPTION

Norges Bank has recently decided to make voting results publicly available on its website one business day after the conclusion of the general meeting.

Editorial note: The text of the commitment was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓		✓					✓						✓

What happened?

The IRM researchers have read this commitment as intending “to make voting results publicly available on its website one business day after the conclusion of the general meeting.” According to the submission by Norges Bank to the Norwegian self-assessment report, Norges Bank now makes the voting results from their general assemblies available on their website through the search functionality one day after the conclusion of each general assembly. After conducting interviews and desk research with significant effort, the IRM researchers were able to find this information online (see <http://www.nbim.no/en/the-fund/holdings/>). Voting information is displayed through a

search function for each company in which the bank is invested. Information is selected by category of investment, then by country, then by company. The IRM researchers checked 15 companies at random, and found voting data listed for only two of them. It is not clear from discussions with the Bank whether the data exists and is waiting to be integrated or the data does not exist. This is difficult to determine because data is only available through individual searches.

None of the records contained detailed information about the issues voted on (a “yes” or “no” entry is recorded with the item “Approve Dividend Policy,” but no information on the dividend policy is provided), and the data is not available in bulk format to allow for easy access, use, or comparison. Nevertheless, given the wording of this commitment, the IRM researchers consider this commitment complete.

The Norges Bank contact person for this commitment indicates that the content of this commitment was approved before the drafting of the second national action plan, and the Bank prioritised it.

Did it matter?

Publishing of voting records is a positive move towards greater transparency for any government institution. However, it is not clear that this particular instance provides any additional useful information about exclusions from government pension funds because the recommendations from the Norwegian Ethical Council and Finance Department, on which Norges Bank’s divestment decisions are based, are already public.

The format of the information release also is problematic because it is very difficult to find and access. Moreover, it likely does not provide enough information to be useful for accountability and transparency efforts.

Moving forward

The IRM researchers assume that this commitment has been completed, as communicated by Norges Bank. Future action plans should explore how a more meaningful commitment to transparency in this area could be formulated to provide users with easy access to voting information, bulk access to voting information, and contextual information to make sense of voting information.

24. Transparency and anti-corruption efforts

[...] Transparency is also a key dimension of the Norwegian recently adopted Action Plan Against Economic Crime (March 2011). The action plan discusses measures such as country-by-country reporting (CBCR). CBCR is a different concept from regular financial reporting as it presents financial information for every country that a company operates in, rather than a single set of information at a global level. Reporting, for example, taxes, royalties and bonuses that a multinational company pays to a host government is likely to show a company's financial impact in host countries. Such a transparent approach will also encourage more sustainable businesses.

In October 2011 the European Commission proposed to introduce an EU system of CBCR, to increase transparency regarding payments to governments made by large companies and companies listed in the EU that are active in the extractive and logging industries. The proposal was adopted by the Council and the European Parliament in June 2013.

Norway generally supports the EU- provisions on CBCR. The legislation is in line with the Government's work related to increased transparency in international payment flows. The legislation is also in line with the Government's efforts to enter into information agreements with so-called "tax havens" for the purpose of fighting tax evasion. [...]

The Norwegian Government appointed a working group in December 2012 to look at national regulation of CBCR. The Ministry received the working group report at the beginning of May, and aims to introduce such requirements from 2014.

COMMITMENT DESCRIPTION

The Ministry of Finance has in October 2013 proceeded a bill on CBCR to the Parliament.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QlVIja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
			✓		✓					✓						✓

What happened?

The commitment, as written seems to suggest that the relevant activity is the proposal of a bill. This was done before the action plan was drafted and before the implementation period began. A country-by-country reporting system was fully implemented 1 January 2014. This system requires Norwegian registered companies to report profits, expenses, taxes, and employees for each country in which they operate. It is in an anti-corruption effort to track money hidden in tax shelters around the world. The first country-by-country (CBC) reports were to be published in the first half of 2015, but the IRM researchers have not been able to

confirm if this has happened. There currently are no monitoring procedures or sanctions in place.

Did it matter?

The passage of the CBC regulations will increase private sector transparency by mandating disclosure of information such as registration of company subsidiaries, including in tax havens. However, it is worth noting, that some sectors and tax havens are exempt from reporting. Because of loopholes and the lack of monitoring and sanctions, the IRM researchers gave the commitment low potential impact. This law was approved on the basis of pressure and a proposal from Norwegian civil society. Following the submission of a proposal by civil society, the law was approved with some amendments, but civil society appears to be generally satisfied with it. What remains to be seen is how the law will be implemented. The law nevertheless represents an important step towards fighting international corruption. It is scheduled for review in three years' time.

Moving forward

Norway should consider reviewing the law, including exemptions, sooner than the scheduled review, and potentially after one year. Norwegian civil society also should be engaged to participate in the drafting of monitoring procedures, and civil society input should be sought on establishing sanctions.

25. The municipal sector

[...]The Norwegian Association of Local and Regional Authorities (KS) is the interest organization and employers' association of the municipal sector. All municipalities and county authorities are members of KS.

COMMITMENT DESCRIPTION

- KS will further develop the Board Appointments Register (*Styrevervregisteret*) in order to make it more accessible and easier to use and to ensure greater registration of the interests and board appointments of elected representatives and municipal managers.
- KS will make efforts to further develop KOSTRA (Municipality-State Reporting) to provide better management information, among other ways, by further developing quality indicators and by identifying and removing data not used actively as management information.
- KS will work to achieve open and accessible information concerning school objectives, strategies, plans and results at all levels of the organization. Transparency is the best driving force for improvement and quality development. The municipal sector must therefore have access to all relevant data for development of high quality services.
- KS will further examine dual role issues in connection with the revision of KS's recommendations concerning sound municipal ownership, tentatively in autumn 2013.

Editorial note: The text of the commitments was abridged for formatting reasons. For the full text of the commitment, please see <http://bit.ly/1QIVlja>.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
		✓			✓					✓				✓		

What happened?

Further develop the Board Appointments Register (*Styrevervregisteret*)

The Norwegian Association of Local and Regional Authorities (KS) reports that the milestone regarding the Board Appointments Register has been completed. The new Board Appointments Register provides an overview of board appointments and other important roles and interests for about 39,000 elected leaders and employees. It has important influences in about 350 of the 450 Norwegian municipalities. Ninety-four municipal companies and parastatal organisations also joined the register.

Make efforts to further develop KOSTRA (Municipality-State Reporting) to provide better management information

KOSTRA is a national database that aggregates all data reported by municipalities to the national government, and sets data standards for which indicators are to be reported. This commitment refers to efforts to develop the indicators around schooling data that municipalities are required to report. KS reports that milestones regarding KOSTRA and schooling data are in progress, but that it has been challenging to develop quality indicators for KOSTRA. It has been challenging partly due to communication between KS and government agencies. Nevertheless, indicators for educational quality are to be standardised among municipalities in 2016.

Work to achieve open and accessible information concerning school objectives, strategies, plans, and results at all levels of the organisation

KS reports that they repeatedly have communicated the municipal sector's need for quality data to the Directorate of Education. But KS notes that as a non-governmental organisation, they do not have access to municipal data. An interview with the KS contact person for this commitment indicates that no progress has been made on this benchmark.

Further examine dual role issues in connection with the revision of KS's recommendations concerning sound municipal ownership

KS reports that work on this milestone has not started due to "practical reasons." IRM researchers were not able to identify the nature of the activity or challenge, and they were not able to determine the practical reasons for not beginning work.

Did it matter?

The IRM researchers presume that this commitment targets municipal government integrity. There have been several corruption cases at the municipal level in the last 10 years and a public debate about whether municipal governments have sufficient controls for preventing corruption.¹ It is not entirely clear that the above benchmarks are the most impactful mechanisms to address these issues. They seem in any case to be inhibited significantly by KS's standing as a non-governmental body.

Moving forward

The Norwegian government should consider working with CSOs to assess the quality of integrity and anti-corruption controls at the municipal level. They should ensure that the above actions are the most important mechanisms to pursue this objective. If these benchmarks or related commitments are included in future action plans, a government agency should be designated the responsible party.

¹ "Korrupsjon i Kommunene?," Transparency International Norge, 16 August 2013, <http://bit.ly/1L91IYc>; "Korrupsjonsfaren Storst i Sma Kommuner," NRK, 16 March 2014, <http://bit.ly/1L20cms>.

V. Process: Self-assessment

At the time of writing this report, the Norwegian government had circulated a draft self-assessment report to a list of stakeholders. It is unclear if the draft and its 13 attachments will be consolidated into a single document and officially published.

Table 2: Self-assessment checklist

Was the annual progress report published?	No
-------------------------------------------	----

Summary of additional information

KMD released its draft self-assessment report on 31 March 2015. The self-assessment report, which was accompanied by 13 PDF attachments to an email, was sent to 87 representatives of civil society and government. Its body contained three words (“see attached documents”). It is not clear to the IRM researchers how these email addresses were selected or whether the self-assessment report was published publicly. The email announcing the self-assessment report did not provide any explanation about how the self-assessment report was related to the larger OGP process. The email also did not include any indication why civil society might care to review it, a timeline for review, or any instructions on how to navigate the 13 PDF attachments. To our knowledge, KMD received no feedback on its self-assessment report, which was sent to the OGP secretariat on 27 April 2015.

Follow-up on previous IRM recommendations

Consultations:

The previous IRM report placed a particular emphasis on recommending changes to the consultation process, as lack of civil society awareness and engagement seems to be an important weak spot for the OGP in Norway. In particular, the report recommended:

- Clear timelines for consultations with sufficient notice,
- Alignment of timelines for developing action plans and incorporating input from IRM reports,
- Developing action plans *after* consulting with civil society, and
- Publicly sharing draft action plans, information on the consultation process and list of consulted organisations, per recommendations in the OGP guidelines.

Although KMD significantly increased the number of CSOs on its mailing list, it does not seem to have engaged meaningfully with the above recommendations. Consultations were held again with deadlines during Norwegian summer holiday, and civil society representatives again complained about too little time to provide feedback. Information on draft plans and consultation processes are not publicly available on the government's web page for OGP.¹

The Norwegian Government needs to do a better job of engaging civil society in OGP processes. It has not managed to make a compelling case for why OGP is relevant to civil society. In a country where governance is strong, transparency is an accepted norm, and relationships between civil society and government are generally good, this may well be a prerequisite for the Norwegian Government to implement the OGP meaningfully. For the majority of CSOs in Norway that are not familiar with OGP and have too much to do,

packaging OGP communications in dense or empty emails with numerous attachments and without clear relevance means that these communications are not read.

At the time of writing this report, only a very small number of CSOs are familiar with OGP. CSOs familiar with OGP also happen to be receiving financial support from the Norwegian Government to participate in the OGP Council. Although Norway enjoys a strong tradition for collaboration between civil society and government, including government funding of independent CSOs, the IRM researchers have concerns about this arrangement. It is troubling that CSOs not receiving support are not engaged or interested in participating in OGP processes. It also is troubling that the Norwegian Government may be, in effect, outsourcing some of its responsibilities for designing and driving OGP processes. Financial support also has the potential to distort incentives for designing and implementing open government action plans.

Ownership:

Norway has identified a responsible agency and focal point for the OGP, in keeping with previous recommendations, but questions remain about OGP ownership. Interviews and self-assessment materials suggest that the degree of ownership varies dramatically between different agencies and contacts tasked with drafting and implementing commitments. Many agencies and contacts seem still to regard OGP as an external phenomenon that happens to overlap substantively with the work that they already are doing. In that sense, OGP implies extra reporting, but little else. As in the previous review, greater support and coordination with the Prime Minister's office and other agencies likely would help, but it seems as though high-level political support also may be necessary to make OGP a meaningful and relevant phenomenon for Norway.

Ambitious commitments:

The previous IRM report recommended that Norway “strive to select OGP-related topics that are regarded broadly as challenging in the Norwegian context.” Some of the commitments in the second action plan do this by targeting areas such as access to information in municipal and defence sectors, anti-corruption efforts, international corporate activities, and municipal governance. However, these commitments generally are not ambitious. They refer largely to vague efforts to “review” or “consider” regulatory frameworks and to activities which already are underway and which are politically non-contentious.

The previous report also recommended that Norway reduce the number of commitments to facilitate greater engagement and ownership. The second action plan increased the number of commitments from 20 to 26 (although the final commitment, added late, was not included in the national action plan and is not readily available or considered in this report).

VI. Country context

Norway is a country with a strong tradition for openness and transparency, principles that are protected actively by civil society. This is well illustrated by recent political events surrounding the country's freedom of information law. Parliamentary efforts to make fast track changes to the law, which would have allowed city councils to keep preparatory documents a secret, provoked strong reactions among the press and civil society. They appear to have led to the blocking of the changes in parliament.²

The rapid and effective response of a broad cross section of Norwegian civil society in this instance demonstrates that civil society engagement that is possible when issues and instances obviously are relevant. But it highlights the failure of the Norwegian Government to engage effectively with civil society on the OGP. Some of the most active respondents to the parliamentary proposal for limiting the scope of FOIA requests, such as the civil ombudsman and the national press association, were engaged in the first independent review of Norway's OGP commitments. Presumably, they were invited to KMD's consultations for the second national action plan. Their lack of participation in the consultation process should not be confused with a lack of engagement on their part, but should prompt questions about whether the Norwegian Government has made sufficient efforts to demonstrate the relevance of the OGP process and to accommodate civil society contributions.

This dynamic is present in several other aspects of the second action plan. Access to information and freedom of information requests are top priorities for civil society in Norway. Groups consulted for the preparation of this report consistently cited challenges in these areas. They believe the challenges are critical for securing transparency and accountability. While several of the commitments in the second national action plan relate to access to information and FOIA legislation, these commitments tend not to address the types of information or mechanisms that civil society and citizens demand. Instead, they emphasise mechanisms and types of information that government agencies prioritise. This suggests a fundamental misalignment between supply and demand for information in the Norwegian accountability context. Presumably, the misalignment may be mitigated by meaningful consultations with civil society.

As discussed in Section V, the Norwegian Government's efforts to engage civil society in the OGP process are not as proactive or productive as they could have been. Failure to articulate the relevance of OGP, to facilitate access to OGP information, or to engage a diverse segment of civil society likely have resulted in the generally lacklustre quality of civil society engagement.

Stakeholder priorities

The IRM was unable to reconvene a broad selection of civil society representatives due to lack of engagement in the OGP process. Interviews and discussions conducted with the IRM researcher in the preparation of this report suggest some priority issues for civil society, including strengthening of government capacities to manage FOIA requests, anti-corruption controls at the municipal level, and whistle-blower protection. These issues are addressed largely by the second action plan, but not through measures or with focus that stakeholders found meaningful.

It is also worth noting that these issues tend to align with the mandate of the few organisations that have followed the OGP process. Although addressing the priority issues

of the three to five vocal CSOs is important in the OGP process, it is equally important to identify and to respond to the priorities of the full spectrum of CSOs and citizens. In a country where governance is strong and the relationship between civil society and government is highly functional, the government should frame the OGP as an effort that is relevant to civil society. It should be reflected in communications and consultations. The IRM researchers were unable to convene a broad sector of civil society due to lack of awareness and engagement. They did not find it within their mandate to conduct extensive awareness-raising activities. For this reason, it should be noted that there may be several other civil society perspectives and priorities that are not recorded in this report.

Scope of action plan in relation to national context

The issue areas covered by Norway's second national action plan are largely consistent with the OGP Declaration of Principles and Articles of Governance. However, the commitments fail to address meaningful areas of improvement. For example, while the right to information is clearly a pillar of open government and falls squarely within open government, the commitment to evaluate that law and consider amendments is not ambitious.

According to several representatives of the Norwegian civil society, the freedom of information law is a “game changer” for Norwegian openness and transparency. However, much work needs to be done to make the public aware of the law, to improve government responsiveness, and to make the law easier to implement. These issues have been raised in consultations and in the Norwegian media. A commitment to review the law generally addresses none of these issues, but rather describes activities that likely already were planned. Moreover, the activities cannot be expected to improve the quality of Norwegian openness significantly.

This dynamic of topical relevance undercut by vague and modest commitments is representative of the majority of commitments in the second national action plan.

Commitments in the action plan tend to describe on-going political processes that appear to be related only substantively to the OGP. According to focal points, such commitments would have been determined and implemented in precisely the same manner without OGP.

While it is not the IRM researchers' intention to penalise Norway for doing good work on open government and transparency outside of the OGP initiative, the OGP initiative should not be used as a box-checking exercise to catalogue relevant initiatives that are unrelated to the OGP process. Such an approach also represents a significant opportunity cost, as interviews conducted for this report suggest that better integration of OGP with relevant initiatives could have a beneficial consequence for both.

This would require involving relevant agencies and focal points more extensively than simply reporting on on-going activities. It would require asking them either to rethink and to restructure activities within the OGP context, or to develop OGP commitments that build on and add to their on-going activities. This is a more demanding approach than simply cataloguing activities, but it likely would have more meaningful results, both for OGP action plans and for other transparency and openness work in the Norwegian public sector. The additional effort and resources involved also likely would imply prioritisation of areas, fewer commitments, and more focus in future action plans.

¹ “Open Government Partnership,” Government of Norway, 6 December 2014, <http://bit.ly/1FN7dvk>.

² “Stortingsforslag Om Mindre Apenhet Moter Kraftig Motstand,” I All Offentlighet, <http://bit.ly/10d0RZ9>.

VII. General recommendations

This section recommends general next steps for OGP in general, rather than for specific commitments.

Crosscutting recommendations

1. Improve the quality of action plan commitments. The vagueness and modesty of Norwegian commitments in the first and second national action plans have hindered engagement, review, and implementation. Commitments without clear activities or outcomes, or commitments that describe on-going or non-contentious activities, provide no added value to the quality of openness in Norway. They provide no reason for Norwegian civil society to engage with the OGP process. Generally, the quality of action plan commitments likely will improve by **including fewer commitments**. Additionally, individual commitments should be crafted to adhere to the following rules of thumb:
 - A. Commitments in OGP national action plans should be **specific and measurable**. Commitments should be formulated with specific activities to be executed by specific actors. This would make it possible to determine whether such activities have been completed. Commitments should include specific timelines and measurable benchmarks.
 - B. Commitments should be **ambitious**. Government agencies in a democratic society regularly act in ways that can be considered to contribute to open government through their basic operation and interaction with citizens. While laudable, such activities only should be considered OGP commitments when they significantly contribute to making government more open, accountable, and responsive to citizens.

Superficial adjustments to well-established governance mechanisms do not meet this criterion. On-going political processes for which there is no political or practical opposition also do not meet this criterion. Including them in action plans represents a description of Norwegian political processes, not ambitious commitments to strengthen open government.
 - C. Commitments should **address priority areas**. Some issue areas, such as simplifying the grant reporting requirements for NGOs,¹ are laudable, but do not clearly deserve the attention and prioritisation the national action plan should convey. As a country with a strong record for democratic governance and a strong civil society, Norway should base commitments on issues that are prioritised in the critical media and by national CSOs. OGP commitments should not be identified and developed on the basis of relevant activities that are already underway.
2. Work to make national action plans relevant to both civil society and responsible agencies. This report has noted Norwegian civil society's lack of engagement in the OGP mechanism. This is not because a lack of engagement on issues of national openness or government responsiveness, but likely because the relevance of OGP to national openness and responsiveness is not clear (see above discussion on country context). Similarly, many of the government officials interviewed for this report by the IRM researchers indicated that they were not familiar with OGP. Those that were, often described their activities as only loosely related and cited imprecise

potential benefits of association with the OGP, such as the potential to access greater political support or budget allocations.

- A. **Raise awareness about the OGP in national media.** The Norwegian national press regularly covers OGP-related issues through op-eds, debates, and investigative journalism. Effort should be made by the government and/or the OGP Council to facilitate media coverage to highlight the OGP's relevance.
 - B. Seek **high-level political support** for the OGP. Norway failed to demonstrate high-level political support for the OGP, most notably by not attending the High Level Summit in 2014. Political and coordination support from the Prime Minister's office likely would have a very positive effect in facilitating engagement and coordination between agencies responsible for individual commitments. Political support at the ministerial level in responsible agencies, or a few key agencies, likely also would greatly improve awareness, ownership, and coordination among focal points for OGP commitments.
 - C. Tailor the OGP to **address issues that Norwegian civil society and government agencies are already working on.** Noting the importance of ambitious commitments and not reframing existing work as commitments, it can nevertheless be important to identify the issue areas and institutional mandates that are already being prioritised by civil society and government agencies. This requires Norway to balance thoughtfully between identifying ambitious steps to be taken in novel areas, and focusing on areas and priorities already identified by civil society. Norway also should improve the quality of commitments, as well as the quality of engagement and ownership.
3. Improve the accessibility and depth of consultations. OGP consultations for the second national action plan have not been well attended by civil society, although government agency representation increased.
- A. **Improve how consultations are presented.** If email continues to be the primary mechanism to invite participants to consultations, Norway should make an effort to state clearly the purpose of the consultations and how OGP is relevant to civil society's work. Effort should be made not to create obstacles to civil society engagement through formatting or rhetoric. This principle should also be applied to online and other information.
 - B. **Make consultation information easy to find.** In addition, to making information easy to find in actual emails, much could be done to spread information about consultations where civil society is likely to see it. Existing print and online information sources, such as *Bistands Aktuelt*, Global.no and the FORUM newsletter can be important channels for ensuring that civil society representatives see consultation information.
 - C. **Keep clear records on consultations and provide feedback** on how input during consultations was or was not incorporated into planning and implementation. Several civil society representatives expressed dissatisfaction with consultation processes. Although the proposals submitted via email were published on the KMD website, it would be useful to record proposals made in live meetings. It also would be useful to provide an explanation for why some proposals were included in the national action plan and some were not. This

might help to construct a feeling of more meaningful consultation and to facilitate greater civil society engagement in OGP processes.

- D. **Ensure that consultation meetings and deadlines do not discourage participation.** As with the first national action plan, consultations in 2013 coincided with national summer holidays, inhibiting civil society participation. Steps should be taken to avoid this.

Top SMART recommendations

TOP FIVE 'SMART' RECOMMENDATIONS
1. Prior to consultations, establish a public-facing web presence for OGP that is designed to facilitate interaction. OGP-related information should be organised according to the interests and mandates of Norwegian civil society. Promote this web presence in forums and on websites where Norwegian civil society already is active, such as http://www.bistandsaktuelt.no/ . Use this web presence to track proposals and inputs to consultations, regardless of the format in which they are submitted. It also can be used to provide feedback on how and why individual proposals are incorporated into the action plan, or reasons they are not.
2. Develop and consult on the third national action plan according to a timeline that is developed in partnership with the OGP Council.
3. Prior to developing the next national action plan, seek high-level political support for the OGP at the ministerial level for key government agencies. Develop a communications strategy in collaboration with the OGP Council for promoting the OGP in national media to raise awareness and to facilitate civil society engagement ahead of consultations.
4. Strengthen government agencies' institutional ownership of OGP commitments by establishing a regular multi-agency process for sharing and monitoring of commitments before the next implementation cycle.
5. Include more ambitious and measurable commitments in the next national action plan. Ensure that those commitments meet the SMART criteria. These commitments should be based on issues that are prioritised in the critical media and by national CSOs.

¹ See commitment 9.

VIII. Methodology and sources

As a complement to the government's self-assessment report, well-respected governance researchers, preferably from each OGP participating country, write an independent IRM assessment report.

Expert researchers use a common OGP independent report questionnaire and guidelines,¹ based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

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

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency. Therefore, when possible, the IRM makes public the process of stakeholder engagement in research (detailed later in this section). In national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

Generally, evaluating Norway's commitments in this action plan was hampered by the vagueness of commitment formulation. Descriptions of actions already taken, or intentions to "review" or "consider" activities have not been accompanied by measurable benchmarks, requiring a significant amount of guesswork and interpretation on the part of the IRM reviewers. As a result, much of the coding of the commitments' specificity, ambition, and completion are open to discussion. The IRM researchers recognise this and hope that more specific and measurable commitments will allow for more definitive evaluations of future action plans.

Interviews and focus groups

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

The IRM researchers were unable to solicit interest for a broad public event and instead prioritised participation in meetings organised by the Norwegian Government and individual interviews stakeholders. In March 2015, the IRM researchers contacted government points for all 25 commitments and secured and executed 13 interviews. The IRM researchers also conducted interviews with four CSOs, including the OGP Council, in this time period. In June 2015, the IRM researchers conducted follow-up interviews with members of the OGP Council.

The list of interviewees and dialogue meetings is as follows:

Interview with Difi, 12 March 2015
Interview with IKT Norge, 12 March 2015
Interview with KS, 13 March 2015
Interview with Difi, Ledelse og organisering, 17 March 2015
Interview with OGP Council, 17 April 2014
Interview with KMD, Avdeling for IKT og Fornying, 18 March 2015
Interview with Finansdepartementet, avdeling for formueforvaltning, 18 March 2015
Interview with Justis-og Beredskapsdepartementet, 18 March 2015
Interview with Riksarkivet, Avdeling for bevaring og tilsyn/Seksjon for elektronisk arkivdanning, 18 March 2015
Interview with Transparency International, 19 March 2015
Interview with KMD, 20 March 2015
Dialogue Meeting hosted by KMD on 6 June 2013
Meeting hosted by KMD on 17 April 2014

In addition to these interviews, the IRM researchers also considered the following input to the draft self-assessment report:

Kommunal-og moderniseringsdepartementet, Avdeling for IKT og fornying (AIF); Justis-og beredskapsdepartementet (JD), Avdeling for Lovavdelinga; Direktoratet for forvaltning og IKT, Avdeling for digital forvaltning; National Archives, Avdeling for bevaring og tilsyn/Seksjon for elektronisk arkivdanning; Helse- og omsorgsdepartementet, Administrasjonsavdelingen; Utenriksdepartementet, Avdeling for Kompetanse og Ressurser, Seksjon for tilskuddsforvaltning; Agency for Public Management and E-Government (Difi), Avdeling for Digital forvaltning (DIG); Ministry of Culture, Department of Civil Society and the Voluntary Sector; Direktoratet for forvaltning og IKT (Difi), Avdeling for Ledelse og organisering (LEO); Arbeids-og sosialdepartementet, Avdeling for Arbeidsmiljø-og sikkerhetsavdelingen; Justis-og beredskapsdepartementet, Politiavdelingen; Norwegian Association of Local and Regional Authorities (KS); Finansdepartementet, Avdeling for formuesforvaltning (FIN); Utenriksdepartementet, Avdeling for Kompetanse og Ressurser, Seksjon for tilskuddsforvaltning; Utenriksdepartementet, Avdeling for økonomi og utvikling; Input to Norway's Self-Assessment Report submitted by Finansdepartementet, Finansmarkedsavdelingen; Kommunal-og moderniseringsdepartementet (tid. FAD), Avdeling for IKT og fornying

Document library

The IRM uses publicly accessible online libraries as a repository for the information gathered throughout the course of the research process. All the original documents, as well as several documents cited within this report, are available for viewing and comments in the online library at <http://bit.ly/1ga0Oyt>.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International

Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Anuradha Joshi
- Debbie Budlender
- Ernesto Velasco-Sánchez
- Gerardo Munck
- Hazel Feigenblatt
- Hille Hinsberg
- Jonathan Fox
- Liliane Corrêa de Oliveira Klaus
- Rosemary McGee
- Yamini Aiyar

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

¹ Full research guidance can be found in the IRM Procedures Manual, available at <http://www.opengovpartnership.org/about/about-irm>.

IX. Eligibility requirements

In September 2012, OGP decided to begin strongly encouraging participating governments to adopt ambitious commitments in relation to their performance with respect to the OGP eligibility criteria.

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

	2011	Current	Change	Explanation
Budget Transparency ²	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information ³	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁴	4	4	No change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	4 (10.00) 5	4 (10.00) ⁶	No change	1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total/Possible (Per cent)	16/16 (100%)	16/16 (100%)	No change	75% of possible points to be eligible

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

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

³ The two databases used are Constitutional Provisions (www.right2info.org/constitutional-protections) and Laws and Draft Laws (<http://www.right2info.org/access-to-information-laws>).

⁴ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), <http://bit.ly/19nDEfK>; Organisation for Economic Co-operation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level of Transparency," in *Government at a Glance 2009*, (France: OECD Publishing, 2009), 132, <http://bit.ly/13vGtqS>; Richard Messick, "Income and Asset Declarations: Global Experience of Their Impact on Corruption" (paper prepared for the Conference on Evidence-Based Anti-Corruption Policy organised by Thailand's National Anti-Corruption Commission (NACC) in collaboration with the World Bank, Bangkok, Thailand, 5-6 June 2009), 16, <http://bit.ly/1clokyf>. For more recent information, see <http://publicofficialsfinancialdisclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and *de facto* public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjLJ4Y>.

⁵ The Economist, *Democracy Index 2010: Democracy in Retreat*, by the Economist Intelligence Unit (Report, London, 2010), <http://bit.ly/eLC1rE>.

⁶ The Economist, *Democracy Index 2014: Democracy and its Discontents*, by the Economist Intelligence Unit (Report, London, 2014), <http://bit.ly/18kEzCt>.