

# NORWAY: 2014-2015 END-OF-TERM REPORT

**The Norwegian government substantially or fully completed two-thirds of its commitments. These commitments led to marginal improvements in open data and enhanced access to information on health care, on extractives, and at the municipal level. Moving forward, the government could work on improving the ambition of its action plan to achieve more significant results.**

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 review of the activities of each OGP participating country. **This report summarizes the results of the period January to December 2015.**

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.

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

Norway published its third action plan, with support of a newly created OGP Council composed of representatives of Norwegian civil society.

**Table 1: At a Glance**

	Midterm	End-of-term
Number of commitments	25	
Level of completion		
Completed	8	12
Substantial	7	7
Limited	6	4
Not started	0	0
Unclear	3	1
Officially withdrawn	1	1
Number of commitments with:		
Clear relevance to OGP values	22	
Transformative potential impact	0	
Substantial or complete implementation	15	19
All three (🟢)	0	0
Did it open government	Major	N/A
	Outstanding	N/A
Moving Forward		
Commitments carried over to next action plan:	4	

Norway's third action plan (2016-2017) contains nine commitments and focuses on three areas: increasing public integrity, more effective management of public resources, and increasing corporate accountability.

## Consultation with civil society during implementation

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

The Norwegian government invited 27 CSOs to submit commitments for this action plan. It also invited 100 CSO representatives to a dialogue meeting. Despite these efforts, CSO engagement in the OGP process was low, due to the timing of consultations.

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

Table 3: Action Plan Consultation Process		
Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement
During Implementation	Regular forum for consultation during implementation?	No
	Consultations: Open or Invitation-only?	Open
	Consultations on IAP2 spectrum	Involve

## Progress in commitment implementation

All of the indicators and the 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. In order 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.
4. Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of "substantial" or "complete" implementation.

Based on these criteria, at the mid-term report, Norway action plan contained **no** starred commitments. At the end-of-term, based on the changes in the level of completion, Norway's action plan contained **no** starred commitments.

Commitments assessed as star commitments in the mid-term report can lose their starred status if, at the end of the action plan implementation cycle, their completion falls short of substantial or full completion, which would mean they have an overall limited completion at the end- of- term, per commitment language.

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, see the OGP Explorer at [www.opengovpartnership.org/explorer](http://www.opengovpartnership.org/explorer).

## About “Did it Open Government?”

Often, OGP commitments are vaguely worded or not clearly related to opening government, but they actually achieve significant political reforms. Other time, commitments with significant progress

may appear relevant and ambitious, but fail to open government. In an attempt to capture these subtleties and, more importantly, actual changes in government practice, the IRM introduced a new variable “Did it open government?” in End-of-Term Reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment’s implementation. This can be contrasted to the IRM’s “starred commitments” which describe *potential* impact.

IRM researchers assess the “Did it open government?” with regard to each of the OGP values relevant to this commitment. It asks, did it stretch the government practice beyond business as usual? The scale for assessment is as follows:

- Worsened: worsens government openness as a result of the measures taken by commitment
- Did not change: did not change status quo of government practice
- Marginal: some change, but minor in terms of its impact over level of openness
- Major: a step forward for government openness in the relevant policy area, but remains limited in scope or scale
- Outstanding: a reform that has transformed “business as usual” in the relevant policy area by opening government

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM End-of-Term Reports are prepared only a few months after the implementation cycle is completed. This variable focuses on outcomes that can be observed on government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the time frame of the report.

### **General overview of commitments**

As part of OGP, countries are required to make commitments in a two-year action plan. End-of-Term Reports assess an additional metric, “Did it open government?” The tables below summarize the completion level at the end-of-term and progress on this metric. For commitments that were already complete at the mid-term, the report will provide a summary of the progress report findings but focus on analysis of the “Did it open government?” variable. For additional information on previously completed commitments, please see Norway’s IRM mid-term progress report.

The 25 commitments in Norway’s second national action plan emphasize a broad range of actors and themes, including corruption, international coordination of financial transparency initiatives, archiving, and digital solutions for access to information. They are listed and assessed individually below. A 26<sup>th</sup> commitment, which was included in initial drafts of the action plan was not included in the final version of the action plan and therefore, has not been evaluated.

Table 4. Overview: assessment of progress by commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion	Midterm	Did it Open Government?						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started						Limited	Substantial
1. Public review and public consultation		✓			✓	✓		✓		✓				✓		✓			✓		
2. A better overview of committees, boards, and councils		✓			✓					✓			Unable to tell					✓			
3. Simplify (“Enkelt og greit”)	✓				Unclear				✓				Unable to tell						✓		
4. Electronic Public Records		✓			✓					✓						✓		✓			
5. Re-use of public sector information		✓			✓			✓		✓					✓			✓			
6. Access to health data				✓	✓			✓		✓					✓				✓		
7. Renewal of government’s website			✓			✓		✓		✓						✓			✓		
8. Interaction with NGOs			✓			✓				✓					✓				✓		
9. Digital administration of arrangements for NGOs			✓		✓					✓					✓			✓			
10. Digital documentation		✓			✓					✓				✓		✓			✓		
11. Norwegian Citizen Survey				✓	✓					✓					✓				✓		

12. Whistle-blowing			✓				✓			✓				✓		✓				
13. Strengthened information exchange		✓					Unclear		✓				✓			✓				
14. Transparency of public authorities		✓				✓				✓			✓			✓				
15. eGovernment with end-user focus			✓			✓				✓				✓		✓				
16. Plain legal language		✓				✓				✓							✓			
17. Norwegian grants portal				✓		✓				✓							✓			
18. Financial transparency		✓				✓		✓		✓			Withdrawn			✓				
19. Post-employment regulations	✓							✓		✓					✓		✓			
20. Centre for Integrity in the Defence Sector	✓							✓		✓				✓		✓				
21. Modernizing public governance	✓						Unclear		✓				Unable to tell			✓				
22. Transparency in oil and gas revenue		✓						✓		✓			✓				✓			
23. Managing Government Pension Fund				✓		✓				✓					✓		✓			
24. Transparency and anti-corruption efforts			✓			✓				✓					✓		✓			
25. The municipal sector		✓				✓				✓			✓				✓			

## I. Public review and public consultation

### Commitment Text:

[...] 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.

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): Ministry of Justice; Ministry of Culture

Start date: Unclear

End date: Unclear

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

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓	✓		✓		✓				✓					✓		



## Policy Aim

The Norwegian government has emphasized that openness and public consultation are a core aspect of the Norwegian model of governance. This is represented by a myriad of policy mechanisms across different Norwegian institutions and policy processes. This commitment concerns revisions to the Instructions for Official Studies and Reports, which are guidelines that dictate how government officials assess the potential impacts of new policy. These guidelines were first established in 2000,<sup>1</sup> and the revisions under consideration were intended to improve standards for the evidence-based policy decisions.<sup>2</sup> The guidelines are broad, applying to all public authority initiatives with public impact, and include minimum guidelines for public consultation and socio-economic impact analysis. The guidelines and guidance on how they are to be applied are maintained by the Norwegian Government Agency for Financial Management.<sup>3</sup>

## Status

### Midterm: Limited

The Instructions for Official Studies and Reports manual was reviewed. Work was proceeding slowly due to extensive internal government consultation, particularly in the Ministry of Culture, Innovation and Administration, and the Ministry of Justice. No draft materials were available for review by the IRM researcher, who was unable to identify any use of technology prioritized in the review in interviews with government focal points, as specified in the language of the commitment.

### End-of-term: Complete

A new Instructions for Official Studies and Reports manual was published in February 2016,<sup>4</sup> and applies to all administrative bodies, including municipal agencies. The new guidelines include a focus on early engagement and public consultations with affected communities and citizens, but contain no reference to technology as specified in the commitment. At the same time, there has been significant progress made at the national level, and the government website (<http://regjering.no>) has been “modernized” to include electronic consultations and to archive and centralize records produced by all government ministries in a single web location.<sup>5</sup>

## Did it open government?

### Access to information: Marginal

### Civic participation: Did not change

The broad scope of the new instructions to include all decisions made by all government agencies will be a positive step towards improving civic participation if it leads to consultations conducted by more types of government agencies. The inclusion of strong minimum requirements for public consultations and risk assessments before implementing new policy is also a positive step. Generally, the IRM researcher believes the new instructions are likely to increase the potential for civic participation in public policy formation, though the actual outputs in terms of policy formation will be determined in specific instances. The IRM researcher assumes that the instructions are already being used, given that the Norwegian Government Agency for Financial Management offers a number of courses and answers government agencies’ questions on how to implement the instructions.<sup>6</sup> However, there is no information available, as government agencies are not required to report on how the instructions are applied, and no government agency has a mandate for collecting relevant experiences. Thus, the IRM researcher is unable to assess whether and how the instructions are implemented, and whether they have had an impact on access to information or civic participation. How the guidelines are implemented and used will rely on political and contextual factors on a case-by-case basis.

The addition of electronic consultations to the government website is also a positive development. Ministry of Local Government and Modernisation representatives interviewed for this report noted that electronic consultations are, in principle, more inclusive than formal consultative practices since they are openly posted on the internet, instead of notifications only being sent to a discrete list of known actors.<sup>7</sup> The centralization of consultation records, including documentation of submissions to previous consultations (dating back to 1997),<sup>8</sup> is also an important step towards improved access to information through the use of technology. Government representatives note that these developments are substantively linked to this commitment,<sup>9</sup> and given the fact that they made information more easily accessible to the public, the IRM researcher considers that they have had a marginal impact in opening government practice.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>10</sup>

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<sup>1</sup> "Instructions for Official Studies and Reports," Ministry of Local Government and Modernisation, accessed September 4, 2016, <https://www.regjeringen.no/en/dokumenter/instructions-for-official-studies-2/id419236/>.

<sup>2</sup> "Utredningsinstruksen," Ministry of Local Government and Modernisation, last updated February 2, 2016, accessed September 4, 2016, <https://www.regjeringen.no/no/dokumenter/instruks-om-utredning-av-statlige-tiltak-utredningsinstruksen/id2476518/>.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> "Oversyn over høyringssaker," Norwegian Government Security and Service Organisation, accessed September 4, 2016, <https://www.regjeringen.no/no/dokument/hoyringar/oversyn-over-hoyringssaker/id546535/>.

<sup>6</sup> "Utrednings instruksen," Norwegian Government Agency for Financial Management, accessed October 29, 2016, <https://dfo.no/fagomrader/utredningsinstruksen/>.

<sup>7</sup> Tom Arne Nygaard and Terie Drystad, interview by Christopher Wilson, in-person interview, Offices of the Ministry of Local Government and Modernisation, September 31, 2016.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



## 2. A better overview of committees, boards, and councils—more public access to information and better opportunities for further use

### Commitment Text:

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.

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): None

Start date: Unclear

End date: 1 July, 2014

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓					✓			Unable to tell					✓			
														✓							

## Policy Aim

There currently exists no centralized source of information on who participates on municipal government boards and committees. The commitment aims to improve the functionality of a website (regjeringen.no, as referenced in the commitment text), maintained by the Agency for Public Management and eGovernment (Difi), to make information on board and official committee membership in municipal governments easier to access. A prototype website has been developed based on recommendations from an independent consultant, though it is not clear whether any formal “principles” have played a role in this process.

## Status

### **Mid-term: Unable to tell from government and civil society responses**

The Ministry of Local Government and Modernisation (KMD) reports that work on this commitment began with a preparatory phase. It is not clear what activities this included, and the IRM researcher was not able to gather any additional information or to secure an interview with the contact point for this commitment.

### **End-of-term: Limited**

The consultancy firm, Northern Beat, was contracted to produce a work plan for improving the functionality of the website and a website prototype, which was delivered in 2015. The work plan is on file with the IRM researcher, but not publically available. According to the IRM researcher’s examination of the work plan, it is clearly informed by the needs of journalists and researchers to access relevant information. According to the KMD focal points interviewed, this initiative was motivated by internal government dissatisfaction among government employees with their ability to access information local boards and councils. Desire for a better overview was voiced within KMD, and was not demanded or requested by any civil society or business groups.<sup>1</sup>

KMD’s focal point further stated that this report was welcomed by the Government Administration Services (DSS), who commissioned it and is responsible for implementing the changes to the website. The contract for that implementation is now under tender, according to the focal points in KMD.<sup>2</sup> The IRM researcher understands the work plan to include “principles” referenced in the activity description of this commitment, but since the information is not yet publically available, the researcher assessed progress on the commitment to be limited.

## Did it open government?

### **Access to information: Did not change**

Improving access to information regarding individuals’ participation on government committees, boards, and councils is a positive step in improving transparency. However, the website has not been built yet, and the IRM researcher cannot yet make a determination on whether or how it will change government practice. Some civil society actors have noted the potential value of this register for tracking political influence and financial relationships in Norwegian local governance.<sup>3</sup> In addition, the Norwegian Press Association noted that while this initiative gathers existing information into a central electronic archive for public access, it does not compel the provision of such information, and registration of participation in many municipal boards and committees is still voluntary.<sup>4</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>5</sup>

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<sup>1</sup> Tom Arne Nygaard and Terie Drystad, interview by Christopher Wilson, in-person interview, Offices of the Ministry of Local Government and Modernisation, September 31, 2016.

<sup>2</sup> Ibid.

<sup>3</sup> Information meeting on the second national action plan (June 13, 2013), interviews with Transparency International Norway (March 18, 2015) and Norwegian Press Association (September 1, 2016), notes on file with researcher.

<sup>4</sup> Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>5</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

### 3. “Simplify” (“Enkelt og greit”)

#### Commitment Text:

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.

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): None

Start date: Ongoing

End date: Ongoing

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

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Mid-term End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
	✓				Unclear				✓				Unable to tell						✓		



## Policy Aim

Responses to the Norwegian government's national survey on citizen satisfaction in 2010 indicated some dissatisfaction with the quality of digital services and bureaucratic processes.<sup>1</sup> This led to the initiation of the "Simplify" project in 2013.<sup>2</sup> This commitment addresses related policy processes by committing the Norwegian government to consider a report produced by the Ministry of Government Administration, Reform and Church Affairs. The report presents recommendations for consultations to determine how access to public services could be simplified.<sup>3</sup> The former government led the production of this report in consultation with citizens through the use of a blog where citizens could offer suggestions.<sup>4</sup> The blog is no longer available, but the government reports over 200 citizen suggestions were submitted.<sup>5</sup> These submissions provided the foundation for the subsequent report (which noted that over 300 suggestions were received), proposing such simplification initiatives as social media engagement with the recipients of social benefits and the development of infrastructure to receive GPS data and images from callers to emergency telephone services.<sup>6</sup> Though the initiative was discontinued with the change in government in 2013, the Ministry of Local Government and Modernisation (KMD) notes that the current government has initiated many projects with comparable objectives. These are encapsulated in the government's policy priority area "En enklere hverdag for folk flest" (A simpler day-to-day for common people), which emphasizes the minimizing of bureaucratic processes, regulations, and taxes.<sup>7</sup>

## Status

### Mid-term: Unable to tell from government and civil society responses

The "Simplify" report contained recommendations from the previous government on simplifying bureaucratic interaction with citizens. The IRM researcher found no evidence of any formal processes through which the report had been "considered."

### End-of-term: Complete

KMD reports that "En enklere hverdag for folk flest" includes several activities that are consonant with this commitment, such as the "time thieves" project, which KMD reports identified over 8,000 activities and processes which "steal time" and produce inefficiencies in bureaucratic processes.<sup>8</sup> Though the way in which the former government's report ("Simplify") was "considered" while developing the new government's approach ("En enklere hverdag...") has not been documented and remains unclear to the IRM researcher, this end-of-term report assumes that the Simplify report was considered and is at least partly responsible for the consonance in policy objectives across the government transition. The commitment is thus understood to be complete.

## Did it open government?

### Access to information: Marginal

This commitment is understood to be related to a number of policy initiatives that are directly relevant to the OGP process. Some of these may have marginal implications for improving access to certain types of information. For example, the "time thieves" initiative has resulted in the creation of a public database where public agencies publish information about processes they identified as "time thieves" and the efforts they are taking to mitigate their impacts on citizens.<sup>9</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>10</sup>

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<sup>1</sup> "Innbyggerundersøkelsen," Ministry of Local Government and Modernisation, updated January 14, 2010, accessed September 14, 2016, <https://www.regjeringen.no/no/dokumenter/innbyggerundersokelsen/id591513/>.

<sup>2</sup> "Enkelt og greit," Office of the Prime Minister (2013), accessed September 4, 2016, <http://bit.ly/1LYdm92>.

<sup>3</sup> Ibid.

<sup>4</sup> Described in "Regjeringen vil gjøre hverdagen enklere for deg og meg," Fornyings-, administrasjons- og kirkedepartementet, accessed September 9, 2016, <https://www.regjeringen.no/no/aktuelt/enkler-hverdag/id731194/>.

<sup>5</sup> "Enkelt og greit - 200 forenklingsforslag fra innbyggerne," Fornyings-, administrasjons- og kirkedepartementet, accessed September 9, 2016, <https://www.regjeringen.no/no/dokumentarkiv/stoltenberg-ii/fad/lyd-og-bilde/2013/enkelt-og-greit---200-forenklingsforslag/id717889/>.

<sup>6</sup> "Enkelt og greit - 200 forenklingsforslag fra innbyggerne," Fornyings-, administrasjons- og kirkedepartementet, accessed September 9, 2016, <https://www.regjeringen.no/no/dokumentarkiv/stoltenberg-ii/fad/lyd-og-bilde/2013/enkelt-og-greit---200-forenklingsforslag/id717889/>.

<sup>7</sup> "En enklere hverdag for folk flest," Office of the Prime Minister, accessed September 4, 2016, <https://www.regjeringen.no/no/om-regjeringa/solberg/Regjeringens-satsingsomrader/Regjeringens-satsingsomrader/enklere-hverdag/id2397849/>.

<sup>8</sup> "Tidstyver i forvaltningen," Agency for Public Management and eGovernment (Difi), accessed September 13, 2016, <https://www.difi.no/fagomrader-og-tjenester/tidstyver/>.

<sup>9</sup> Ibid.

<sup>10</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

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

### Commitment Text:

[...]

*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.*

Responsible institution: Agency for Public Management and eGovernment (Difi)

Supporting institution(s): None

Start date: Ongoing      End date: Ongoing

**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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓					✓						✓		✓			
																✓					

## Policy Aim

The Electronic Public Record (OEP) - (Offentlig elektronisk postjournal) is a mechanism through which all public records and communications of public officials are archived and made available to citizens.<sup>1</sup> The mechanism is explicitly developed and implemented in an effort to promote openness and democratic principles in the Norwegian governance context and forms a central place in the Norwegian access to information regime, together with the Freedom of Information Act.<sup>2</sup> All government agencies that maintain electronic journals are mandated to participate in the mechanism; there are currently 122 agencies participating.<sup>3</sup> This commitment aims to share Norwegian experiences in developing and implementing the OEP with international peers.

## Status

### Mid-term: Complete

This commitment was complete at the midterm and included participation in national and international conferences to share Norwegian experiences with OEP. Events included:

- Parliaments in the Open Government Era (UiO/University Paris, Sorbonne)
- Informasjonsforvaltning 2014, Foreningen for arkiv og informasjonsforvaltning (Sweden)
- Tools for Improving Efficiency and Performance in the Public Sector (Germany)
- LAPSI 2.0 (The European Thematic Network on Legal Aspects of Public Sector Information).

## Did it open government?

### Access to information: Did not change

Though it is not widely known among everyday citizens, journalists and civil society actors familiar with the OEP describe it as important for access to information, functional, and user friendly. Despite the strength of the OEP as a mechanism, the IRM researcher understands this commitment to be developed and implemented in relation to the sharing of OEP experiences internationally, which does not have a clear impact on government openness or access to information in Norway. Civil society representatives have suggested two ways in which the OEP could be strengthened: 1) stricter definitions and sanctions for what type of information must be logged in publically accessible journals, and 2) mapping the archives of what kinds of information are available.<sup>4</sup>

## Carried forward?

This commitment has been carried forward in the Norwegian government's third national action plan, under the following commitment heading: "Develop a new system solution for OEP to improve the security in OEP, streamline work processes in the public administration, and streamline the transparency work: A new solution with better capacity to accommodate larger amounts of data and with a new technical solution that will provide enhanced search features and improved user experiences."

The action plan is available on the OGP website.<sup>5</sup>

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<sup>1</sup> "Om OEP," Agency for Public Management and eGovernment (Difi), accessed September 4, 2016, <https://www.oep.no/content/om-oep>.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Nils Øy and Siri Gedde-Dahl, interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

Guro Slettemark, interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute March, September 16, 2016.



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<sup>5</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

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

### Commitment Text:

[...]

#### 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.

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): None

Start date: Ongoing

End date: Ongoing (July 2014 for public release of analysis)

**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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
Overall		✓			✓			✓		✓					✓			✓			
1. Electronically available data		✓			✓					✓					✓			✓			
2. Study of availability of data		✓			✓			✓		✓						✓		✓			

## Policy Aim

According to the Norwegian government's self-assessment of action plan implementation, the first component of this commitment is to increase access to public information from several social sectors, thereby increasing effective public administration, facilitating innovation, and improving public accountability. According to the same self-assessment, the second component, which entails contracting a scoping study on alternative mechanisms to publish geo-spatial data, is aimed at understanding the socio-economic benefits that might be achieved by publishing that data free of charge. This objective is founded on the presumption that geodata is widely re-used by third-party application developers and service providers. The results of the study would presumably provide the Ministry of Local Government and Modernisation (KMD) with justification for pursuing the publication of geodata free of charge.

## Status

### Mid-term: Substantial

Regarding the first milestone, the government held a hearing on the implementation of the European Commission Directive on the Re-use of Public Sector Data and was reviewing submissions to that consultation. It had also initiated an evaluation process of the Norwegian Public Data Licensing System. In fulfillment of the second milestone, the analysis of the availability of public geospatial data in Norway was received and was under consideration.

### End-of-term: Substantial

The commitment's first milestone ("All state enterprises are required to make public data available") is difficult to evaluate given that "state enterprises," "data," and "make public" are not defined. Moreover, despite the fact that there has been a significant increase in the publication of public sector data on open licenses in recent years (the national open data portal hosts data sets from 82 public agencies<sup>1</sup>), there is no regulatory mechanism compelling all public actors to make all data available, as implied by this commitment. The commitment's second component (to contract a scoping study) has been completed. A report suggesting the economic advantages of the free release of map data is available on the government's website.<sup>2</sup>

## Did it open government?

### Access to information: Did not change

The activities undertaken under the two components have not improved the quality or quantity of information disclosed by the government. The IRM researcher was unable to identify significant changes to Norway's regulatory framework for data production by public entities. Any legal instrument compelling agencies to publically release data would be introduced through upcoming amendments to the Freedom of Information Act (see commitment 15). It is noteworthy that institutional culture remains largely opposed to such a mechanism, and the focal point for this commitment described a parliamentary debate in which many ministry representatives expressed concern that such a mechanism will introduce undue burdens on public agencies. In June 2016, the Norwegian Civil Ombudsman criticized a Norwegian municipal government for refusing to release public sector data in spreadsheet form, on the grounds that it could be manipulated.<sup>3</sup> Such instances suggest that, in the absence of a law compelling agencies to release information, institutional culture in many public agencies is a significant obstacle to the achievement of this commitment's first component. Regarding the second component, the IRM researcher did not identify any changes to Norwegian policy on the publication of geospatial data, as was suggested might follow from the contracting of the geodata study.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>4</sup>

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<sup>1</sup> "Data.norge.no," Agency for Public Management and eGovernment, accessed September 13, 2016,

<http://data.norge.no/organisasjoner>.

<sup>2</sup> "Gratis kartdata lønner seg," Ministry of Local Government and Modernisation, accessed September 4, 2016,

<https://www.regjeringen.no/no/aktuelt/Gratis-kartdata-lonner-seg/id754369/>.

<sup>3</sup> "Fylkesmannens saksbehandlingstid ved behandling av klage i innsynssak," Sivilombudsmannen (July 1, 2016), accessed September 12, 2016,

<https://www.sivilombudsmannen.no/uttalelser/fylkesmannens-saksbehandlingstid-ved-behandling-av-klage-i-innsynssak-article4429-114.html>.

<sup>4</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 6. Access to health data

### **Commitment Text:**

*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.*

Responsible institution: Ministry of Health and Care Services

Supporting institution(s): Directorate of Health

Start date: 1 January, 2013

End date: 31 December, 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/1QVIlja>.

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
				✓	✓			✓		✓					✓				✓		
															✓						

## Policy Aim

The activities referenced in this commitment are part of a broader effort by the Norwegian government to reform Norwegian health care policy and implementation. These reforms focus on reducing waiting times for access to health care and improving the quality of health services. They are related to the political platform of the main governing political party in Norway,<sup>1</sup> but do not directly relate to any specific policy challenges that the IRM researcher found to be raised by civil society or Norwegian media.

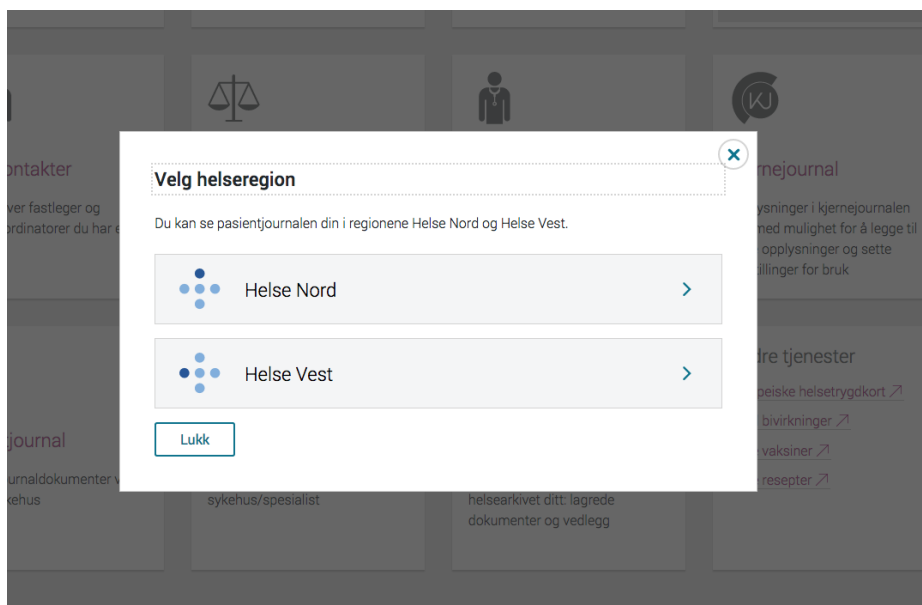
## Status

### Mid-term: Substantial

The Ministry of Health and Care Services took a number of steps towards fulfillment of this commitment, such as user access to electronic prescriptions and establishing access to personal health data online. However, the IRM researcher was not able to determine whether electronic identification (eID) solution was launched.

### End-of-term: Substantial

According to the focal points for this commitment in the Ministry of Health,<sup>2</sup> significant progress was made on all benchmarks in the course of 2015. Steps taken included piloting digital dialogues with general practitioner health care providers, piloting electronic prescription management, and providing access to patient health records in three of four health regions. However, the IRM researcher's investigation into personalized services (e.g., access to records and communication with health professionals) on the health portal suggested that these services were only available to two of the four health regions in Norway, as shown in the screenshot below.<sup>3</sup>



Aggregate and de-personalized statistics at the national level are also published on the national health portal and through an Application Programming Interface to support the development of user-adapted, internet-based health services and apps. The IRM researcher was unable to independently confirm whether the eID solution has yet been launched, despite repeated requests for information to commitment focal points.

## Did it open government?

### Access to information: Marginal

This commitment aims to enhance access to information for everyday citizens and patients, and patient representative organizations interviewed in the preparation of this report gave generally positive feedback on the functionality and accessibility of the national web portal.<sup>4</sup> However, it was repeatedly noted in interviews with the National Association of Norwegian Patients (Norsk Pasient Foreningen) that they have received little feedback from their constituents regarding the portal and stated that this may be because it is not well known or widely used.<sup>5</sup> Patients' rights advocates emphasized that many users of the national health system are not well equipped to use digital solutions and often feel overwhelmed by the amount of information currently available online.<sup>6</sup> The question was also raised as to whether the provision of centralized information on helsenorge.no was the highest priority for transparency and openness in the health sector in Norway. A representative of the National Association of Norwegian Patients further estimated that the vast majority of patients with whom they have contact (approximately 80%) express that they do not feel to have been seen or heard by the national health apparatus, which is often experienced as opaque and difficult to access. A simplification of the language and procedures involved in accessing health care was suggested as a higher priority for openness in this sector than the provision of centralized information and digital interaction. Officials in the Ministry of Health did not respond to the IRM researcher's requests for statistics on usage of the data portal.<sup>7</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>8</sup>

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

<sup>2</sup> Bjørn Astad, email correspondence with Christopher Wilson, March through September, 2016. On file with researcher.

<sup>3</sup> Screenshot captured September 9, 2016.

<sup>4</sup> Kjetil Berg Veire, interview by Christopher Wilson, phone interview, September 9, 2016 and Tove Hanche-Oslen, interview by Christopher Wilson, phone interview, September 9, 2016.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Email correspondence with Bjørn Astad, Director General - eHealth, Norwegian Ministry of Health and Care Service(March-September 2016). On file with researcher.

<sup>8</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



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

### Commitment Text:

*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*

Responsible institution: Government Administration Services (DSS)

Supporting institution(s): None

Start date: 1 January 1, 2013      End date: 31 December, 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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓			✓		✓		✓						✓			✓		
																✓					

## Policy Aim

The renewal of the government's website is intended to improve the usability of regjeringen.no, a joint portal for 17 Norwegian ministries. According to official government documents on file with the IRM researcher, this commitment was created to respond to new communication practices among government actors, new developments in technology, media and web users' demands, and shortcomings in former technical web solutions. By extension, this commitment aims to improve citizens' access to information about government and ministry activities and policies.

## Status

**Mid-term: Complete**

This commitment was complete at the mid-term, with a website redesign launched in December 2014. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

**Civic participation: Did not change**

**Access to information: Marginal**

The improvements made to the website have enhanced the quality of information disclosed to the public and are considered to represent a marginal improvement in access to information. These improvements include the centralization of disparate information from several ministries and the publishing of archived consultation data, as described under commitment 1. The implementation of user testing in development of the new website is relevant to civic participation, but the IRM researcher does not consider this to have had a meaningful impact on civic participation in Norway.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>1</sup>

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<sup>1</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 8. Declaration of principles for interaction and dialogue with NGOs

### Commitment Text:

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.

Responsible institution: Ministry of Culture

Supporting institution(s): None

Start date: 1 January, 2013

End date: 31 December, 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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓			✓				✓					✓				✓		
																✓					

### Policy Aim

There is a strong practice of civil society engagement by the Norwegian government, though it tends to happen in an ad hoc manner across various agencies and institutions, depending on specific political processes and

individual relationships. In December 2013, the Association of NGOs in Norway (Frivillighet Norge) issued 11 demands for simplification in the relations between Norwegian government and civil society.<sup>1</sup> This commitment aims to prepare a Declaration of Principles for Interaction and Dialogue with NGOs in direct response to these demands.

## Status

### Mid-term: Substantial

A draft of the Declaration of Principles for Interaction and Dialogue with NGOs was published in December 2014.<sup>2</sup> The draft was prepared, but not finalized, resulting in substantial completion of the commitment. Civil society representatives were invited to provide feedback on the declaration by early 2015.

### End-of-term: Complete

127 civil society organizations participated in the consultation on the draft declaration by offering comments on the draft, which are available as individual files on the government's website.<sup>3</sup> The consultation period ended in March 2015, after the action plan implementation period.

## Did it open government?

### Civic participation: Marginal

It is not clear that this commitment had a significant impact on opening government. Though this declaration is a positive first step towards simplifying relations between government and Norwegian civil society, interviews conducted in preparation of this report confirm that this will not enable interaction for additional actors, dramatically reform the premises on which civil society and government interact, or otherwise be a "game changer" for civic participation in Norway.<sup>4</sup> On the other hand, government focal points report significant attention and coordination initiated across government agencies, including working groups and the contributions of input from other government agencies, to the draft declaration.<sup>5</sup> The IRM researcher understands this to constitute a positive, but marginal, improvement in civic participation.<sup>6</sup>

Civil society appears generally satisfied that the government is working towards simplification, but notes that work is proceeding slower than it should.<sup>7</sup> A representative for the Norwegian Association of NGOs noted that, while a declaration is positive, much of the language remains quite abstract and lacks details, and that a binding contract between the civil society sector and national and municipal governments would be a more powerful mechanism for enhancing accountability and cooperation than a declaration. Notably, this representative also suggested that this declaration might not have been produced without the international attention associated with the OGP.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>8</sup>

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<sup>1</sup> "Frivillighet Norges elleve krav til forenkling og avbyråkratisering," Frivillighet Norge, December 6, 2013, accessed September 9, 2016, <http://bit.ly/L6ph8Y>.

<sup>2</sup> "Regjeringens frivillighetserklæring," Ministry of Local Government and Modernisation, December 5, 2014, accessed September 8, 2016, <https://www.regjeringen.no/no/aktuelt/Regjeringens-frivillighetserklaring/id2343197/>.

<sup>3</sup> "Høring – Frivillighetserklæringen," Ministry of Local Government and Modernisation, December 5, 2014, accessed September 8, 2016, <https://www.regjeringen.no/no/dokumenter/Horing---Frivillighetserklaringen/id2342823/>.

<sup>4</sup> Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview, September 13, 2016.

<sup>5</sup> "Høring – Frivillighetserklæringen."

<sup>6</sup> Håvard Bjerke (Legal Adviser, Ministry of Justice), interview by Christopher Wilson, phone interview, September 8, 2016.

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<sup>7</sup> See for example, the 2015 annual assessment released by the Norwegian Association of NGOs, "Statusrapport for frivilligheten: Frivillighet Norges årsrapport 2015," Frivillighet Norge (2015), p 10, accessed September 9, 2016, [http://www.frivillighetnorge.no/filestore/Dokumenter/200982-FrivillighetNorgeArsrapport2015\\_V6.pdf](http://www.frivillighetnorge.no/filestore/Dokumenter/200982-FrivillighetNorgeArsrapport2015_V6.pdf).

<sup>8</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 9. Simplification and digital administration of arrangements for NGOs

### Commitment Text:

[...]

### 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.

Responsible institution: Ministry of Culture

Supporting institution(s): None

Start date: 1 January , 2013

End date: 31 December, 2015

**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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓		✓					✓					✓			✓			

### Policy Aim

As in most countries where civil society organizations receive grant funding from governments, processes and paperwork surrounding applications and reporting for such funding can be cumbersome. In December 2013, the Association of NGOs in Norway (Frivillighet Norge), issued 11 demands for simplification in the relations

between Norwegian government and civil society.<sup>1</sup> Nevertheless, the civil society representatives consulted for this report indicated that cumbersome paperwork and bureaucratic processes were less problematic for Norwegian government funding than other government funding.<sup>2</sup> Nonetheless, this commitment aims to simplify grant scheme procedures for civil society organizations (CSOs) to apply for government financial resources by pulling information automatically from the national registry in which all Norwegian CSOs are registered. This procedure makes it unnecessary for CSOs to re-enter the same information each time they submit a grant application.

## Status

### Mid-term: Substantial

The Ministry of Culture reported that it published an overview of grant schemes for volunteer organizations and a guide for how to improve grant schemes for child- and youth-focused organizations. The ministry encouraged all government agencies to review their processes for civil society support in order to identify opportunities for simplification.

### End-of-term: Substantial

The Ministry of Culture published the results from its review processes in a government report in May 2016.<sup>3</sup> Though the ministry published this report after the action plan implementation period, its contents suggest that broad efforts were underway to identify simplification opportunities during the implementation period. These efforts included nearly 30 initiatives across nine government agencies. Of these, details are available for 16 of the initiatives, which tend to be articulated in general language about reviewing frameworks, without measurable outputs, and with few direct linkages to the national registry, as described in this commitment.<sup>4</sup>

Ministry focal points for this commitment describe a close collaboration between the ministry, the National Council for Youth and Children's Organizations (Landsrådet for Noregs barne- og ungdomsorganisasjoner), the Norwegian Association of Civil Society Organizations, and the Norwegian Confederation of Sports (Norges idrettsforbund og olympiske og paralympiske komité). This collaboration prioritized work to integrate individual civil society registries with the national registry of volunteer organizations. This led to simplified reporting processes on the national registry,<sup>5</sup> though integration work is ongoing. As such, this commitment is understood to have made substantial progress to completion.

## Did it open government?

### Access to information: Did not change

As implemented, the commitment did not change government practice in either the quantity or quality of information disclosed to civil society. The processes targeted by this commitment largely impact the activities and allocation of resources to CSOs and only indirectly impact the interaction of civil society and government. Interviews with Norwegian CSO representatives indicate that CSO actors do not see application and reporting processes to be particularly problematic in the first place, or to impact open government in other ways.<sup>6</sup> Norwegian civil society representatives note that the most important improvement to their relationships with government would be a prioritization of core and restricted funding rather than project funding. This prioritization would allow NGOs to perform a watchdog role that is necessary for democratic and open societies, but increasingly difficult in times of austerity and with project-specific funding. Though the government has indicated a willingness to move in this direction in meetings with civil society, no specific actions have been taken. Civil society actors describe the activities in this commitment as an important start to improving and simplifying administrative processes.<sup>7</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>8</sup>

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<sup>1</sup> "Frivillighet Norges elleve krav til forenkling og avbyråkratisering," Frivillighet Norge, December 6, 2013, accessed September 9, 2016, <http://bit.ly/L6ph8Y>.

<sup>2</sup> Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview, September 13, 2016; Joachim Nahem (Director of Financial Politics, IKT-Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 23, 2016; and Liv Freihow (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 12, 2016.

<sup>3</sup> "Enklere tilskuddsordninger for frivillige organisasjoner," Ministry of Culture, updated May 26, 2016, accessed September 4, 2016, <http://bit.ly/1DnGbtv>.

<sup>4</sup> Ibid.

<sup>5</sup> "Forenklet skjema for foreninger," Brønnøysundregisteret, accessed September 9, 2016, <https://www.brreg.no/produkter-og-tjenester/skjemakatalog/skjema-for-foreninger/>.

<sup>6</sup> Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview, September 13, 2016; Joachim Nahem (Director of Financial Politics, IKT-Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 23, 2016; and Liv Freihow (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 12, 2016.

<sup>7</sup> "God start på et viktig arbeid," Frivillighet Norge, November 4, 2014, accessed September 9, 2016, <http://bit.ly/1ztIQOH>.

<sup>8</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



## 10. Registering and preserving digital documentation produced by public bodies

### Commitment Text:

[...]

#### 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.*

Responsible institution: Ministry of Culture

Supporting institution(s): National Archives of Norway in cooperation with the Agency for Public Management and eGovernment (Difi)

Start date: 1 January, 2013

End date: 31 December, 2015

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

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓					✓				✓				✓			
															✓						

## Policy Aim

This commitment builds on the recommendations of a parliamentary white paper produced in 2012 on how to improve the quality of government archiving.<sup>1</sup> The commitment specifically aims to improve the functionality of software used by government archivists and the coordination and standardization of archiving practices across government bodies. Improved functionality and archiving practices are also expected to improve public access to government documents.

## Status

### Mid-term: Limited

The Samla Samfunnsdokumentasjon (SAMDOK) project is intended to facilitate coordination among archive institutions on a voluntary basis. The project is widely regarded as a success according to government focal points,<sup>2</sup> though this was not confirmed in interviews or desk research conducted in preparation of this report. Regarding revisions of the Archives Act, the government established a working group to consider adjustments to the regulations.<sup>3</sup> The commitment is considered to be limited in completion since work on this latter component has not progressed towards identifying and implementing revisions.

### End-of-term: Substantial

The IRM researcher interviewed multiple individuals in the Ministry of Culture and National Archives, but was unable to identify additional SAMDOK outcomes corresponding to the second component of this commitment.<sup>4</sup> Regarding the first component—the revision of the Archives Act—focal points for this commitment reported that a working group had been established, together with the National Archives and other civil society actors, in order to map gaps and needs for revision in the current Archives Act.<sup>56</sup> The Ministry of Culture then requested that the National Archives propose revisions to the Archive Act in early 2016.<sup>7</sup> This proposal has been delivered and is under consideration, though the IRM researcher was not able to contact anyone in the Ministry of Culture or National Archives who was willing to share the proposal under consideration. The course of action and timeline moving forward is unclear. The primary benchmark for this milestone was “consideration.” Consideration has taken place, but since it is unclear whether this consideration included the substantive components described in the commitment, its level of completion is considered to be substantial.

## Did it open government?

### Access to information: Did not change

The only specific outcomes of this commitment identified by the IRM researcher are the establishment of a working group and the production of a proposal for legal amendments, which is still forthcoming. The IRM researcher considers it reasonable to presume that the small improvements referenced as part of the SAMDOK project, and the coordination and proposals underway to revise the archive acts, promise some positive future impact on archiving practice and, by extension, access to information in Norway. However, the activities underpinning this commitment have not changed access to information.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>8</sup>

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<sup>1</sup> "Parliamentary White Paper 7 (2012–2013)," Ministry of Culture, accessed September 4, 2016, <https://www.regjeringen.no/no/dokumenter/meld-st-7-20122013/id707323/?ch=1&q=>.

<sup>2</sup> Contribution of the Ministry of Justice to Norway's Self-Assessment, on file with researcher.

<sup>3</sup> Ibid.

<sup>4</sup> Helga Hjorth (Senior Adviser, National Archives), interview by Christopher Wilson, email and phone interview, September 9, 2016; Tor Anton Gaarder (Deputy Director, National Archives), interview by Christopher Wilson and Lene Olsen, phone interview, March 18, 2016; and Håvard Bjerke (Senior Adviser, Ministry of Culture), interview by Christopher Wilson, phone interview, September 8, 2016.

<sup>5</sup> Ibid.

<sup>6</sup> "Revisjon av arkivforskriften," Arkivverket, accessed September 9, 2016, <http://www.arkivverket.no/arkivverket/Arkivverket/Om-oss/Aktuelt/Nyhetsarkiv/Revisjon-av-arkivforskriften>.

<sup>7</sup> Documentation on file with researcher.

<sup>8</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## II. The Norwegian Citizen Survey (Innbyggerundersøkelsen)

### Commitment Text:

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

Responsible institution: Agency for Public Management and eGovernment (Difi)

Supporting institution(s): None

Start date: Ongoing

End date: Ongoing

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding	
				✓	✓				✓						✓				✓			
																✓						

### Policy Aim

The commitment aims to conduct public opinion polls of the Norwegian citizenry, according to a national survey protocol that has been implemented bi-annually since 2010. The survey aims to understand citizen satisfaction with government processes and digital services.

## Status

### Mid-term: Substantial

Norway's third citizen survey was conducted in 2015, and results were expected to be available for download and re-use. The survey assessed citizen "satisfaction with 23 national and municipal services in the areas of education, health and culture."<sup>1</sup>

### End-of-term: Complete

Results from Norway's third citizen survey are now available for download and re-use at <http://www.difi.no/rapporter-og-undersokelser/statistikk-og-undersokelser/innbyggerundersokelsen-2015>. The data is divided into two categories: data on general citizen satisfaction and data on satisfaction with 23 specific government agencies. Data is made available in thematic report formats (PowerPoint charts and .xls spreadsheet files) and in raw data zip formats (which contain duplicate .xls, .csv, and .sav files), all of which may be downloaded individually, but not in bulk. Use of this data is governed by the Norwegian Open Data License.<sup>2</sup> No API or other automated feeds are available for accessing the data.

## Did it open government?

### Access to information: Marginal

Information from each survey is released online and available to both policy makers and citizens. While the Norwegian Citizen Survey does not directly focus on issues of openness in government, the increased availability of data is positive and constitutes the release of information that would not have been available had the survey not been conducted. It is not clear that this information has been useful for reform or advocacy purposes, however. Interviews with stakeholders and web searches for civil society references to the survey did not suggest any instances in which data from the survey had been used to open government or been used by civil society more generally.<sup>3</sup> In fact, a search for media coverage between the two most politically engaged Norwegian daily newspapers returned less than ten stories, none with contentious or reform-oriented messaging, which suggests that the data did not lead to significant public discussion or reform efforts.<sup>4</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>5</sup>

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<sup>1</sup> Norway: Independent Reporting Mechanism (IRM) Progress Report 2013-2014, available at [http://www.opengovpartnership.org/sites/default/files/IRMReport\\_Norway\\_Final\\_Eng\\_0.pdf](http://www.opengovpartnership.org/sites/default/files/IRMReport_Norway_Final_Eng_0.pdf).

<sup>2</sup> "Norsk lisens for offentlige data (NLOD)," Agency for Public Management and eGovernment (Difi), accessed September 4, 2016, <http://data.norge.no/nlod/no/1.0>.

<sup>3</sup> In particular, Guro Slettemark (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March, September 2016. Also, Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview by phone, September 13, 2016; Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016; and Siri Gedde-Dahl (Chair, Norwegian Committee for Access to Information (Offentlighetsutvalget)), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>4</sup> Search conducted on websites for Aftenposten and Dagens Næringsliv, September 8, 2016, <http://bit.ly/2g49FFZ>; <http://bit.ly/2g4fuTK>.

<sup>5</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 12. Whistleblowing

### Commitment Text:

*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.*

Responsible institution: Ministry of Labour

Supporting institution(s): None

Start date: 1 January, 2013

End date: 31 December, 2013

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓				✓			✓						✓		✓			
																✓					

### Policy Aim

Norway has seen an active running debate regarding the role and protection of whistleblowers following a series of whistleblowing cases in the private sector in the early 2000s and the Snowden revelations of 2013.<sup>1</sup> These debates have been reflected in a continuous political debate regarding the regulatory need for protecting whistleblowers.<sup>2</sup> This review of whistleblower protection was intended to contribute to that debate and to the potential of reforming existing regulation.

### Status

**Mid-term: Complete**

The Ministry of Labour carried out an evaluation of whistle-blower rules in the first half of 2013, before the second action plan was finalised.<sup>3</sup> For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

### Public accountability: Did not change

The evaluation conducted by the Ministry of Labour noted that Norwegian regulations did not meet international standards on whistleblowing. The evaluation offered a number of recommendations focused on expanding the coverage of existing legislation and improving the mandated routines for receiving whistleblower complaints in both private and public sector organizations. At the time of writing this report, parliamentary hearings were under way, considering a submission by the Ministry of Labour to the formal consultation process.<sup>4</sup> The deadline for input to this process is 1 October 2016, after which point the Ministry of Labour will adopt a new recommendation for consideration in parliament.

Interviews with civil society representatives and members of the Norwegian Press Association note that some of the most important potential improvements in this instance include:

- removing the requirement that whistleblowing must be executed “responsively,”
- legally prohibiting official investigation of employees that engage media for whistleblowing purposes, and
- strengthening the regulatory framework for protecting journalistic sources.<sup>5</sup>

This commitment referenced a review of the existing legislation rather than legislative changes per se. Since the review of this legislation has been active and dynamic for well over a decade, the IRM researcher did not come across any evidence pointing to any gains in public accountability that might result from the Ministry of Labour’s recommendations to change the legal framework. Thus, the IRM researcher concludes that this commitment did not change the quality of open government in Norway.

## Carried forward?

None of the components of this commitment have been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>6</sup>

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<sup>1</sup> For a summary of pressing issues and history of the debate, see S. Trygstad and A.M. Ødegård, *Varsling i arbeidslivet* (2014). I B. Enjolras, T. Rasmussen, and K. Steen-Johnsen (red.), *Status for yringsfriheten i Norge. Hovedrapport fra prosjektet*, Rapport (2014):8, Oslo: Institutt for samfunnsforskning.

<sup>2</sup> See for example, Kristine Foss, “Jurist i Norsk Presseforbund skriver: Regjeringen må bedre varslervernet” (March 15, 2015), accessed September 4 2016, <http://www.aftenposten.no/meninger/debatt/Jurist-i-Norsk-Presseforbund-skriver-Regjeringen-ma-bedre-varslervernet-62873b.html>.

<sup>3</sup> Sissel C. Trygstad, Marit Skivenes, Johan Røed Steen, and Anne Mette Ødegård, “Evaluerer av varslerbestemmelsene,” *Fafo-rapport* (2014):5, accessed September 4, 2016, <http://www.fafo.no/~fafo/images/pub/2014/20352.pdf>.

<sup>4</sup> “Høring om endringer i arbeidsmiljølovens regler om varsling,” Arbeids- og sosialdepartementet (June 20, 2016), accessed September 4, 2016, <https://www.regjeringen.no/no/dokumenter/forslag-til-endringer-i-arbeidsmiljoloovens-regler-om-varsling/id2505141/>.

<sup>5</sup> Guro Slettemark (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, September 2016; Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016; and Siri Gedde-Dahl (Chair, Norwegian Committee for Access to Information (Offentlighetsutvalget)), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>6</sup> “Norway’s third action plan Open Government Partnership (OGP),” Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

### 13. Strengthened information exchange for more efficient crime prevention and combat

#### Commitment Text:

[...]

#### 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.

Responsible institution: Ministry of Justice

Supporting institution(s): None

Start date: 1 January 1, 2014

End date: 31 December, 2015

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

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			Unclear					✓				✓				✓			
														✓							

#### Policy Aim

This commitment aims to improve coordination and thereby efficiency in combatting crime. The IRM researcher speculates that this is related to economic criminal accountability, which has been a prominent issue in the Norwegian media in recent years. A series of investigations in the most popular Norwegian daily



newspaper<sup>1</sup> 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 focal point for this commitment was not able to clarify the specific policy aim of the commitment.<sup>2</sup>

## Status

### Mid-term: Limited

The self-assessment report referenced pilot projects organized in collaboration with the private sector, but the IRM researcher was unable to determine what these projects were, and focal points from the government did not respond to requests for information. The researcher was similarly unable to identify progress on the evaluation mentioned in the commitment.

### End-of-term: Limited

Focal points for this commitment noted that no additional activities had taken place and no additional activities were planned, due to limited resources.<sup>3</sup>

## Did it open government?

As currently written, the commitment is of unclear relevance to OGP values as the information exchange is entirely internal to government. The lack of activities further limits the potential impact of the commitment. Therefore, this commitment does not appear to have any significant impact on the quality of open government in Norway.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>4</sup>

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

<sup>2</sup> Kristen Bilberg, (Senior Adviser, Ministry of Justice), interview by Christopher Wilson, phone interview, September 12, 2016.

<sup>3</sup> Ibid.

<sup>4</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 14. Strengthening the transparency of public authorities and administration

### Commitment Text:

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.*

Responsible institution: Ministry of Justice

Supporting institution(s): None

Start date: Unclear

End date: Unclear

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

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Mid-term  End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓				✓					✓				✓			
														✓							

## Policy Aim

The scope and implementation of Norway's Freedom of Information Act (FOIA)<sup>1</sup> has been the subject of much debate. Of particular interest to civil society representatives are the types of information and public bodies not covered by the act and the less than perfect observance and implementation of the act by public bodies when receiving freedom of information requests.<sup>2</sup> This commitment aims both to consider specific adjustments to the legislation and to improve implementation of the act through formal training of public officials.

## Status

### Mid-term: Limited

The government had internally discussed amendments to the FOIA to broaden the scope of its applicability. Consideration of these amendments were in a preparatory phase by mid-term. In addition, the focal point for this commitment in the Ministry of Justice reported that the ministry had held some courses and lectures on implementation of the FOIA in a variety of government ministries and agencies. However, the contact did not provide the IRM researcher with specific information regarding these trainings.<sup>3</sup>

### End-of-term: Limited

The IRM researcher could find no additional evidence of the implementation of this commitment. According to the government self-assessment provided by the Ministry of Justice focal point for this commitment, trainings and lectures on the FOIA have been delivered on a running basis to various relevant ministries, municipal governments, and other public bodies, including the Ministry of Health and the Ministry of Education in 2015 (after this action plan's period of implementation) and the Norwegian Civil Affairs Authority in 2014.<sup>4</sup> The format and focus of these lectures and trainings have varied significantly, and the IRM researcher was referred to contacts in the individual ministries and agencies who received these lectures for additional information. No further details have yet been received.

An independent evaluation of the act has also been delivered and is currently undergoing public review.<sup>5</sup> This evaluation is completely independent of the OGP commitment referenced here and was mandated in parliament when the FOIA was adopted in 2006. This mandate explicitly excluded consideration of the points that are the focus of this commitment. On the other hand, the “consideration” proposed by this OGP commitment will only take place after a formal consultation is completed regarding the evaluation mandated by parliament. This will occur after a formal recommendation is drafted for consultation and after a consultation on that recommendation is held. There are thus a number of procedural steps that are completely unrelated to this commitment, but which must be taken before this commitment can be considered complete. This process is likely to continue well into 2017.

## Did it open government?

### Access to information: Did not change

Public official exposure and training on the FOIA are positive activities and may improve implementation of the act, including response times and the quality and accuracy of responses. However, it is difficult to measure whether this has been the case given the lack of information provided by the government on specific training activities.

This commitment’s attention to amending the FOIA does not seem to have had any impact on access to information in Norway as the issues and sections listed here for consideration will not be considered in the near term. It is worth noting that Norway’s FOIA is a point of contention with civil society actors and representatives of the press interviewed for this report. There is also widespread dissatisfaction with how individual agencies have responded to FOIA requests.<sup>6</sup> In fact, the conditions of the act’s evaluation were not shared openly, to the frustration of civil society and media actors.<sup>7</sup>

When considering meaningful amendments to the act, interviewees stressed the importance of including municipal actors within the scope of the law (not only the removal of the public sector exemption noted in this commitment), specifying criteria for materials and documents which must be archived and thus become subject to the FOIA,<sup>8</sup> and establishing sanctions for non-compliance. Of these priorities expressed by civil society and press representatives, only the third is represented in this commitment, but it is explicitly excluded from the ongoing process of FOIA evaluation.

As such, this commitment is considered to have had no impact on access to information in Norway.

## Carried forward?

This commitment has not been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>9</sup>

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<sup>1</sup> Lov om rett til innsyn i dokument i offentlig verksemd (offentleglova), LOV-2006-05-19-16, Justis- og beredskapsdepartementet, accessed September 4, 2016, <https://www.lovdata.no/all/hl-20060519-016.html>.

<sup>2</sup> Joachim Nahem (OGP Councilmember), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 23, 2016; Liv Freihow (Director of Financial Politics, IKT-Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March 12, 2016; Guro Slettemark (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March, September 2016; Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview, September 13, 2016; Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016; and Siri Gedde-Dahl (Chair, Norwegian Committee for Access to Information (Offentlighetsutvalget)), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

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<sup>3</sup> Contribution of the Ministry of Justice to Norway's Self-Assessment, on file with researcher. Also, Ole Knut Løstegaard (Legal Adviser, Ministry of Justice), interview by Lena Olsen, phone interview, March 18, 2015.

<sup>4</sup> Ole Knut Løstegaard (Legal Adviser, Ministry of Justice), interview by Christopher Wilson, email correspondence, September 14-15, 2016.

<sup>5</sup> "Høyring - Evalueringen av offentleglova," Ministry of Justice, accessed September 4, 2016, <https://www.regjeringen.no/no/dokumenter/hoyring---evalueringen-av-offentleglova/id2477095/>.

<sup>6</sup> Presseforbundets offentlighetsutvalg (roughly translated as the Accountability and Transparency Committee established by the Norwegian Press Association) has released a collection of 13 examples from 2015 in which public institutions failed to comply with FOIA requests and/or actively hindered access to information on issues of public interest. "Innsyn 2015: En eksempelsamling over hemmelighold i forvaltningen," Pressens offentlighetsutvalget, 2016. On file with researcher.

<sup>7</sup> Vegard Venli, "Krever åpenhet om evaluering av offentlighetsloven," Kommunal Rapport (November 20, 2013), accessed September 4, 2016, [http://kommunal-rapport.no/artikkel/Krever\\_penhet\\_om\\_evalu\\_173\\_erling\\_av\\_offentlighets\\_173\\_loven](http://kommunal-rapport.no/artikkel/Krever_penhet_om_evalu_173_erling_av_offentlighets_173_loven).

<sup>8</sup> See Alf Tore Meling, "Slette eller ikke slette – det er spørsmålet. Hva er svaret?," I all offentlighet (November 18, 2015), accessed September 4, 2016, <http://www.ialloffentlighet.no/slette-eller-ikke-slette-det-er-sporsmalet-hva-er-svaret/>.

<sup>9</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 15. eGovernment with an end-user focus

### Commitment Text:

[...]

### 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.

Responsible institution: Agency for Public Management and eGovernment (Difi)

Supporting institution(s): None

Start date: Ongoing      End date: 31 December, 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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓		✓				✓						✓			✓			
															✓						

## Policy Aim

Digital government services have been a priority area for several recent Norwegian governments, and surveys such as those referenced in commitments 9 and 11 have suggested areas for improvements on the usability of digital services. The commitment aims to generally improve the usability of eGovernment services.

## Status

### Mid-term: Substantial

The Agency for Public Management and eGovernment (Difi) has developed guidelines for the evaluation of digital services, which are available online.<sup>1</sup> However, after reviewing the guidelines and the government's self-assessment and conducting interviews with government representatives, the IRM researcher could find no evidence that user studies had been conducted.<sup>2</sup> Although the quality of guidelines can be important for setting standards, this commitment did not introduce any changes in access to information or public participation.

### End-of-term: Substantial

The Ministry of Local Government and Modernisation (KMD) reports that all activities and user studies described under this commitment have been completed in 2015,<sup>3</sup> though the focal points responsible for this commitment in Difi did not respond to requests for information. The usability guidelines developed for the quality screening of government websites are available at <https://kvalitet.difi.no/kriteriesett>, and, according to the website, 62 public agency websites had been screened and rated according to these guidelines as of January 2016.<sup>4</sup> The IRM researcher was unable to consult with the multiple agencies listed on the website, but the descriptions of activities included on the website give no indication that user studies contributed to these efforts, nor any evidence that these ratings led to efforts to improve web design or public service delivery. The agency focal point for this commitment did not respond to IRM researcher requests for further information.

## Did it open government?

### Access to information: Did not change

The IRM researcher has not been able to uncover any evidence that the screening and rating of public agency websites has resulted in any changes made to the quality or quantity of information released on government websites.

## Carried forward?

This commitment has been carried forward in the Norwegian government's third national action plan, under the following commitment heading:

### All state agencies shall map the users' experiences.

All state agencies shall: a) Survey how the users perceive the enterprise; b) Assess the results of the survey; c) Optionally initiate actions to follow up on a) and b); d) Report on the outcome of a) - c) in the Annual Report for 2016.

The action plan is available on the OGP website.<sup>5</sup>

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<sup>1</sup> "Kriteriesett," Agency for Public Management and E-Government (Difi), accessed September 4, 2016, <https://kvalitet.difi.no/kriteriesett>.

<sup>2</sup> Tom Arne Nygaard and Terie Drystad (Senior Adviser, KMD), interview by Christopher Wilson, in-person interview, Offices of the Ministry of Local Government and Modernization, September 31, 2016.

<sup>3</sup> Ibid.

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<sup>4</sup> Results are posted on the agency's website: "Kvalitet på Nett: Offentlige digitale tjenester og nettsteder," Agency for Public Management and E-Government (Difi), accessed September 4, 2016, <https://kvalitet.difi.no/resultat>.

<sup>5</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



## 16. Plain legal language

### Commitment Text:

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

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): Agency for Public Management and eGovernment (Difi) and the Language Council of Norway (Språkrådet)

Start date: Ongoing      End date: 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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓					✓							✓			✓	

## Policy Aim

This initiative aims to make the language used in legal documents more accessible to the general public.

## Status

### Mid-term: Complete

This commitment was complete at the mid-term. The government identified four laws whose language will be clarified and held a conference on clear legal language, with the participation of relevant government actors, academics and civil society groups. Since the commitment language committed the government to “begin examining” acts, this commitment was deemed complete. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

### Access to information: Marginal

Work under this commitment has included courses and seminars on clear legal language to government officials and staff, surveys to understand what kind of clarity is desirable in legal language, and the initiation of the process to reformulate four specific pieces of legislation (i.e., the Education Act, Inheritance Act, Adoption Act and Defence Personnel Act) though the specific acts subjected to revision appears to have changed during the course of the project.<sup>1</sup> A piece of draft legislation for the first of these acts has been produced and submitted to the Ministry of Local Government and Modernisation (KMD), the responsible ministry. The draft text was welcomed by the Minister of Local Government and Modernisation as more clear and generally more accessible.<sup>2</sup> The IRM researcher has not identified any media or civil society commentary that indicates satisfaction or awareness of this output. If this is indicative of future revisions to other legal texts, this can be considered a marginal contribution to access to information in Norway.

## Carried forward?

This commitment has not been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>3</sup>

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<sup>1</sup> "Løvarbeid i Norge: nye arbeidsformer," Språkrådet, accessed September 4, 2016,

<http://www.sprakradet.no/Klarsprak/juridisk-sprak/sprak-i-lover-og-forskrifter/lovarbeid-i-norge/>.

<sup>2</sup> "En ny kommunelov for et sterkere lokaldemokrati," Ministry of Local Government and Modernisation, accessed September 4, 2016, <https://www.regjeringen.no/no/aktuelt/en-ny-kommunelov-for-et-sterkere-lokaldemokrati/id2479155/>.

<sup>3</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 17. Norwegian grants portal (MFA)

### Commitment Text:

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.

Responsible institution: Ministry of Foreign Affairs

Supporting institution(s): None

Start date: Ongoing      End date: Ongoing

**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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
				✓	✓				✓							✓			✓		
																✓					

### Policy Aim

The Ministry of Foreign Affairs' (MFA) grants portal<sup>1</sup> provides information on all grants provided by the ministry and the Norwegian Agency for Development Cooperation. Statistics here are used for reporting to the Organization for Economic Cooperation and Development's (OECD) Development Assistance Committee, and their publication on a public portal is intended to increase access to information, public debate, and accountability in the allocation of funds for international cooperation.

## Status

### Mid-term: Complete

In the midterm report, the researcher found that the Norwegian grants portal complies with IATI standards and is updated on a monthly basis in fulfilment of the commitment. This commitment was complete at the mid-term. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

### Access to information: Marginal

Compliance of this government website with IATI standards and monthly updating of data are positive steps towards increasing access to information. In addition, the improved user interface of the website makes relevant information very accessible to journalists or interested citizens. However, the investigative journalists consulted for this report, who reported on international aid, did not describe changes to the MFA's grants portal as having significant impact on their ability to access information. This was to some degree because they did not see the information posted there as relevant to their work.<sup>2</sup> Nevertheless, the IRM researcher believes that usability improvements are significant enough to represent an increase in access to information, especially for non-expert users. This justifies categorizing this commitment as having a marginal impact on access to information.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>3</sup>

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<sup>1</sup> "The Ministry of Foreign Affairs' Grants Portal," Norwegian Ministry of Foreign Affairs, accessed September 8, 2016, <http://udtilskudd.regjeringen.no/#/en/country?year=2016>.

<sup>2</sup> Guro Slettemark (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March, September 2016; Stian Slotterøy Johnsen (General Secretary, Norwegian Association of Voluntary Organizations), interview by Christopher Wilson, phone interview, September 13, 2016; and Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>3</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 18. An international convention or agreement on financial transparency

### Commitment Text:

*[...]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.*

Responsible institution: Ministry of Foreign Affairs

Supporting institution(s): None

Start date: 1 January, 2013

End date: 1 October, 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/1QVIJa>.

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓		✓			✓			Officially withdrawn					✓			

## Policy Aim

This commitment was intended to work towards improving the international regulatory framework for combatting transnational corruption and illicit financial flows.

## Status

**Mid-term: Officially withdrawn.**

## Did it open government?

**Access to information: Did not change**

**Public accountability: Did not change**

This commitment was officially withdrawn due to a lack of international support for an international convention or agreement on financial transparency. Therefore, no action was taken under this commitment.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>1</sup>

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<sup>1</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 19. Reducing conflicts of interests – Post-employment regulations

### Commitment Text:

[...] 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).

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): None

Start date: Ongoing      End date: 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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
	✓						✓		✓							✓			✓		
																✓					

### Policy Aim

The IRM researcher found the policy aim of this commitment to be unclear and was not able to gain clarity from focal points for the commitment.<sup>1</sup> On the basis of desk research and contextual information, the IRM researcher understands that this commitment is aimed to address the danger of the inappropriate influence of lobbyists on political processes, by virtue of their previous positions in governmental positions. These issues became prominent in Norwegian media after certain lobbying firms attracted attention for perceived

corruption, including alleged efforts to influence local procurement processes,<sup>2</sup> and making payments to local politicians.

## Status

**Mid-term: Complete**

The government submitted to the parliament a legal amendment to the Norwegian Post-Employment Regulations in December 2014, thereby fulfilling the commitment. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

**Public accountability: Marginal**

This commitment was to review rules regarding post-public sector employment and, as such, was a positive first step towards establishing clear rules for political quarantine and preventing the perceived or real abuse of political position in the Norwegian political context. A new law on political quarantines was passed on January 1, 2016<sup>3</sup> and represents a positive outcome from the consideration process described in this commitment. Media representatives interviewed for this report noted that government efforts to quarantine lobbying and political offices has been underway for several years and that this law replaced an existing law with the same objective. Interviewees also referenced conflicting opinions about whether the new law was a meaningful improvement. These interviews suggested disagreement in civil society as to whether the new law introduced new substantive components or mechanisms that significantly improved potential for public accountability, or whether it simply “gave new names” to existing regulatory mechanisms.<sup>4</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>5</sup>

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<sup>1</sup> Daniel Møgster (Higher Executive Adviser, KMD), interview by Christopher Wilson and Lene Olsen, phone interview, March 16, 2016.

<sup>2</sup> “Økokrim mistenker Troms Kraft for grov korrupsjon,” Aftenposten, accessed October 11, 2016, <http://www.aftenposten.no/okonomi/Okokrim-mistenker-Troms-Kraft-for-grov-korrupsjon-102296b.html>. See also, “Oslo-politikere selger hemmelige PR-tjenester,” Aftenposten, accessed October 11, 2016, <http://www.aftenposten.no/osloby/Oslo-politikere-selger-hemmelige-PR-tjenester-143701b.html>.

<sup>3</sup> “Karantenenemnda,” Ministry of Local Government and Modernisation, accessed September 8, 2016, <https://www.regjeringen.no/no/dep/kmd/org/styrer-rad-og-utvalg/karantenenemnda/id611309/>.

<sup>4</sup> Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016 and Siri Gedde-Dahl (Chair, Norwegian Committee for Access to Information (Offentlighetsutvalget)), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>5</sup> “Norway’s third action plan Open Government Partnership (OGP),” Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



## 20. Centre for Integrity in the Defence Sector

### Commitment Text:

*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.*

Responsible institution: Ministry of Defence

Supporting institution(s): None

Start date: Ongoing

End date: Ongoing

Commitment Overview	Specificity				OGP value relevance (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
	✓						✓		✓						✓			✓			
															✓						

### Policy Aim

This commitment aimed to “establish the Centre for Integrity in the Defence Sector (<http://cids.no>) as a resource nationally and internationally” for promoting anti-corruption and integrity in the defence sector. The IRM researcher has not been able to identify a more specific policy problem this commitment sought to address.

## Status

### Mid-term: Substantial

Given no specificity of the commitment language it is difficult to evaluate what specific activities were intended under this commitment. 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.

### End-of-term: Substantial

In the second year of implementation, the centre conducted more activities that could be construed as promoting anti-corruption and integrity: it published an article on integrity in the defence sector<sup>1</sup> and held a risk seminar on integrity and corruption.<sup>2</sup> Focal points for this commitment described broad international activities, especially trainings for military actors in NATO countries. However, despite repeated requests and communications, they were not able to provide additional information on the national activities referenced in this commitment (e.g., participants or agendas), nor any documentation of additional activities carried out in this action plan's implementation period.

## Did it open government?

### Public accountability: Did not change

The vague wording of this commitment makes its status difficult to evaluate. Despite extended correspondence, the IRM researcher was unable to obtain from the centre a list of users of its services, who could have confirmed the value of those services. Speaking to users would have made it possible to assert whether the centre had achieved its objective of becoming a resource.

Activities under this commitment were primarily focused on international partners, however, and did not primarily engage with governance and openness in Norway. This commitment's affirmation of the center's mandate to act as a resource does not appear to have had any significant impact on the quality of open government in Norway, or public accountability more specifically. It is also worth noting that the Norwegian defense sector, and Ministry of Defense more specifically, have struggled to maintain a reputation for openness and accountability and have at times been criticized for a lack of transparency and unsatisfactory responses to FOIA requests.<sup>3</sup>

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>4</sup>

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<sup>1</sup> Bård B. Knudsen, "Integritet i forsvarssektoren: mer enn gode hensikter," Norsk Militært Tidsskrift (NMT) nr. 4 2015, accessed September 9, 2016, [http://sifs.no/?page\\_id=4693](http://sifs.no/?page_id=4693).

<sup>2</sup> "Integrity and corruption-risk seminar," Senter for integritet i Forsvarssektoren, accessed September 9, 2016, [http://sifs.no/?page\\_id=4693](http://sifs.no/?page_id=4693).

<sup>3</sup> "Innsyn i dokumenter om Forsvarets salg av fartøy - spørsmål om taushetsplikt for opplysninger om lovbrudd," Sivilombudsmannen (August 25, 2015), accessed September 8, 2016, <https://www.sivilombudsmannen.no/uttalelser/innsyn-i-dokumenter-om-forsvarets-salg-av-fartoy-sporsmal-om-taushetsplikt-for-opplysninger-om-lovbrudd-article3962-114.html>.

<sup>4</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 21. Modernising public governance

### Commitment Text:

[...] 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.

Responsible institution: Ministry of Government Administration, Reform and Church Affairs

Supporting institution(s): None

Start date: Not specified

End date: 15 December 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 (as written)				Potential Impact				Completion		Mid-term End-of-term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
	✓				Unclear				✓				Unable to tell				✓				

### Policy Aim

Improvements of public services and eGovernment services have been a priority for the Norwegian government for many years, as is represented by the creation of the Directorate for Administration and Information and Communication Technology (ICT) within the Agency for Public Management and eGovernment (Difi) in 2008.<sup>1</sup> This commitment is vaguely worded, but seems to mirror that general ambition to improve the efficiency and impact of public governance, generally and through the use of ICT.

## Status

### **Mid-term: Unable to tell from government and civil society responses**

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 researcher recommends commitments around this topic be written in clear, measurable language in future action plans.

### **End-of-term: Unable to tell from government and civil society responses**

The Ministry of Local Government and Modernisation (KMD) has described several initiatives conducted in 2015 that are closely related to this commitment, including the activities described in the three-year government strategy for better governance and public leadership. Activities include improving the decision-making frameworks for including evidence in decision-making processes and clarifying project and position descriptions in order to “improve leadership.”<sup>2</sup> Given the vague wording of the commitment, the IRM researcher is unable to determine to what extent this fulfills the commitment.

## Did it open government?

This commitment was entirely internal to government in that it committed government to “consider” measures to “strengthen interaction and coordination across agencies.” Given the lack of a public-facing element in the commitment, the IRM researcher was unable to find any evidence that this commitment had any meaningful impact on government openness.

## Carried forward?

This commitment has not been carried forward in the Norwegian government’s third national action plan, which is available on the OGP website.<sup>3</sup>

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<sup>1</sup> “Om Difi,” Agency for Public Management and eGovernment (Difi), accessed October 11, 2016, <https://www.difi.no/om-difi>.

<sup>2</sup> Program for bedre styring og ledelse i staten 2014-2017 available at [https://www.regjeringen.no/globalassets/upload/kmd/apa/program\\_for\\_bedre\\_styring\\_og\\_ledelse\\_i\\_statens.pdf](https://www.regjeringen.no/globalassets/upload/kmd/apa/program_for_bedre_styring_og_ledelse_i_statens.pdf).

<sup>3</sup> “Norway’s third action plan Open Government Partnership (OGP),” Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 22. Transparency in the management of oil and gas revenue

### Commitment Text:

[...]

### 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.

Responsible institution: Ministry of Foreign Affairs

Supporting institution(s): Ministry of Petroleum and Energy

Start date: 2014

End date: 2015

**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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
	✓					✓			✓					✓					✓		
														✓							

## Policy Aim

Transparency in the oil and gas sector is a prominent policy issue in Norway. Transparency challenges in the Norwegian private sector's activities abroad have sparked significant public debate<sup>1</sup> and corresponded with substantial international engagement on related policy issues referenced in this commitment. The five benchmarks referenced in this commitment represent a broad range of issues in which Norway has a significant amount of experience and policy engagement, which is applied primarily to international policy and activities. The policy aims of each benchmark are listed below:

1. Continue to live up to EITI principles and support the EITI Secretariat and implementation:  
The Extractive Industries Transparency Initiative (EITI) is a global standard to promote the open and accountable management of natural resources. Participating countries commit to specific standards in revenue reporting. The EITI Secretariat is based in Oslo.
2. Strengthen the Oil for Development program:  
The Oil for Development program is a Norwegian international aid program which aims to contribute to the financial, social, and environmentally defensible administration of petroleum-based resource extraction in developing countries, primarily through the development of skills and capacities for developing country actors.
3. Promote the development of a "transparency guarantee":  
A transparency guarantee is a commitment made by governments to proactively provide transparent information about international aid.<sup>2</sup> The IRM researcher was unable to find discussion about this specific concept in Norway, but this is likely related to recent political debates regarding the effectiveness and accountability of Norwegian international aid.<sup>3</sup>
4. Consider adopting a country-by-country reporting system for the extractive sector:  
Country-by-country reporting is a legislative obligation for Norwegian-owned companies registered in other countries to report profits, expenses, taxes, and employees for each country in which they operate. This is part of a larger effort to track money hidden in tax shelters around the world and is the focus of commitment 24, discussed below.
5. Work to strengthen financial sector transparency generally:  
An example would include working against typical tax haven practices. While this milestone clearly states its own policy aim, it is vaguely worded.

## Status

### Mid-term: Limited

As currently formulated, most of the milestones under this commitment were not specific enough to be assessed. Of the three milestones that could be assessed, milestone 4—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.

### End-of-term: Limited

1. Continue to live up to EITI principles and support the EITI Secretariat and implementation:  
Norway continues to participate in the EITI and to host the EITI Secretariat, and that participation is viewed positively by Norwegian civil society.<sup>4</sup> This benchmark is, however, too vaguely worded to determine if it is complete.
2. Strengthen the Oil for Development program:  
As of 2016, Norway continues to run this program, in collaboration with 12 countries,<sup>5</sup> despite criticism from civil society that the program advances Norway's economic interests at the expense of local social and economic interests in partner countries.<sup>6</sup> This benchmark is, however, too vaguely

worded to determine if it is complete.

3. Promote the development of a “transparency guarantee”:  
The Ministry of Foreign Affairs' (MFA's) grants portal provides information on all aid grants contractually provided by the ministry and the national development agency.<sup>7</sup> This is not complemented or motivated by a public promise or policy as the IRM researcher understands a “transparency guarantee” to imply.
4. Consider adopting a country-by-country reporting system for the extractive sector:  
This milestone was complete at the mid-term, as described under commitment 24.
5. Work to strengthen financial sector transparency generally:  
Norway engages in a significant amount of work to strengthen financial sector transparency internationally, including the above milestones and the work described in this report's commitments 17, 18, 23, and 24, but is too broad to fully document here. This milestone makes specific mention of combatting tax havens, which has been a public policy focus of the Norwegian government. However, the government has been criticized for failing to properly differentiate between tax havens and “legitimate third country financial centers.”<sup>8</sup> In any case, this benchmark is too vaguely worded to determine if it is complete.

## Did it open government?

### Public accountability: Marginal

1. Continue to live up to EITI principles and support the EITI Secretariat and implementation:  
Norway has met all EITI requirements for reporting cash flows and has not had any deviations in the five years of its participation in the initiative.<sup>9</sup> EITI Norway has included the creation of a multi-stakeholder group, which is viewed by some members of civil society to be a positive contribution to public accountability.<sup>10</sup> Publish What You Pay (PWYP) Norway is a member of this group and is the Norwegian civil society organization whose mandate most closely aligns with EITI. PWYP Norway has suggested that Norway's participation in EITI be discontinued and has suggested more rigorous approaches to strengthening financial transparency in Norway's extractive industry, which would be best implemented in other fora.<sup>11</sup> This might suggest that Norway's participation in EITI has had limited, if any, impact on public accountability in Norway.
2. Strengthen the Oil for Development program:  
Given the international focus of the Oil for Development program, the IRM researcher did not find evidence that this program created or improved opportunities to hold officials accountable for their actions. None of the stakeholders interviewed in the preparation of this report were able to comment on the program, and desk research on Norwegian civil society websites only returned commentaries on international impacts.
3. Promote the development of a “transparency guarantee”:  
The investigative journalists and transparency activists interviewed in preparation of this report did not suggest that aid transparency was a priority area for Norway, and none reported having used or investigated the aid statistics published by the MFA, though they knew of their existence.<sup>12</sup> Since the IRM researcher found no evidence that this milestone was pursued, it is not understood to have impacted public accountability.
4. Consider adopting a country-by-country reporting system for the extractive sector  
This legislation has been adopted, which was a positive significant step for transparency, but controversial amendments are currently being discussed, and the law's future is uncertain. See further details in commitment 24.
5. Work to strengthen financial sector transparency generally:  
With the exception of the activities and outcomes described in the above milestones (especially 1 and 4), the IRM research did not identify any ways in which the state of public accountability in Norway was impacted through Norway's support to international financial transparency. Though the issue of tax havens has sparked significant debate between Norwegian government and civil society actors,<sup>13</sup> the IRM researcher was not able to identify any way in which this debate, or specific policy processes such as those referenced above, impacted public accountability in Norway.

## Carried forward?

The fifth benchmark of this commitment, to strengthen financial sector transparency generally, can be understood to be carried forward in the Norwegian government's third national action plan, particularly the below two commitments which relate to international financial transparency:<sup>14</sup>

Commitment 8. Study how relevant information related to country-by-country reporting from subsidiaries and support functions in third countries should be presented in the accounts, as well as possible supervisory schemes. (Country-by-country reporting.)

Commitment 9. Register for ultimate beneficial ownership: The purpose is to increase access to information about who owns and who has a controlling interest in Norwegian companies, as well as to follow up on our international obligations through the Financial Action Task Forces and our EEA membership.

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<sup>1</sup> See, for example, Siri Skaalmo and Espen Bjerke, "Statoil innrømmer korrupsjon," Dagens Næringsliv (October 13, 2006), accessed September 11, 2016, <http://www.dn.no/nyheter/2006/10/13/statoil-innrømmer-korrupsjon>.

<sup>2</sup> See for example, the UK's transparency guarantee at <https://www.gov.uk/government/news/the-ukaid-transparency-guarantee>.

<sup>3</sup> See for example, "Bistand Til Ren Energi Har Gitt Fa Resultater," Office of the Auditor General of Norway, accessed September 11, 2016, <http://bit.ly/1PT8QrG>; and "Riksrevisjonens Undersøkelse Av Bistand Til Godt Styresett Og Antikorrupsjon I Utvalgte Samarbeidslad," Office of the Auditor General of Norway, accessed September 11, 2016, <http://bit.ly/1O9gcZ6>.

<sup>4</sup> Gro Skaaren-Fystro, "Experiences with EITI in Norway," presentation by Transparency International Norway to the December 2015 Expert Meeting "One size fits all? What can we afford in Germany EITI," accessed September 11, 2016, [https://www.transparency.de/fileadmin/pdfs/Weitere\\_Termine/Veranstaltungsarchiv/D-EITI/One\\_Size\\_fits\\_all/EITI\\_-\\_the\\_Norwegian\\_experience.pdf](https://www.transparency.de/fileadmin/pdfs/Weitere_Termine/Veranstaltungsarchiv/D-EITI/One_Size_fits_all/EITI_-_the_Norwegian_experience.pdf).

<sup>5</sup> "Olje for utvikling," NORAD, updated May 25, 2016, accessed September 11, 2016, <https://www.norad.no/tema/okonomisk-utvikling-og-offentlig-forvaltning/olje-for-utvikling/>.

<sup>6</sup> See for example, "Norges interesser vs. Angolas utviklingsbehov," RORG Network of Norwegian NGOs engaged in Development Education and Awareness Raising in Norway, updated March 14, 2016, accessed September 11, 2016, <http://www.rorg.no/Artikler/3340.html>.

<sup>7</sup> "The Ministry of Foreign Affairs' Grants Portal," Norwegian Ministry of Foreign Affairs, accessed September 8, 2016, <http://udtliskudd.regjeringen.no/#/en/country?year=2016>.

<sup>8</sup> "Balansekunst om skatteparadiser," Tax Justice Network Norway (May 24, 2016), accessed September 11, 2016, <http://taxjustice.no/ressurser/balansekunst-om-skatteparadiser>.

<sup>9</sup> "EITI Key Documents for Norway," accessed September 11, 2016, [https://eiti.org/implementing\\_country/15#key-documents](https://eiti.org/implementing_country/15#key-documents).

<sup>10</sup> Gro Skaaren-Fystro, "Experiences with EITI in Norway."

<sup>11</sup> "Should we 'shut down' EITI in Norway?," Publish What You Pay Norway (April 22, 2016), accessed September 11, 2016, <http://www.publishwhatyoupay.no/nb/node/16874>.

<sup>12</sup> Guro Slettemark (Executive Director, Transparency International Norway), interview by Christopher Wilson, in-person meeting, Offices of the International Law and Policy Institute, March and September 2016; Nils Øy (Special Adviser, Norwegian Press Association), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016; and Siri Gedde-Dahl (Chair, Norwegian Committee for Access to Information (Offentlighetsutvalget)), interview by Christopher Wilson, in-person meeting, Offices of the Norwegian Association of the Press, September 1, 2016.

<sup>13</sup> Friar Aarsnes, "Investorer og skatteparadiser," Bistands Aktuelt (May 9, 2016), accessed September 11, 2016, <http://www.bistandsaktuelt.no/arkiv-kommentarer/2016/investorer-og-skatteparadiser>.

<sup>14</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).



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

### Commitment Text:

Transparency is also a central principle in the management of the Government Pension Fund (GPF). The GPF comprises the Government Pension Fund Global (GPGF) 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 GPGF. [...]

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.

Responsible institution: Ministry of Finance

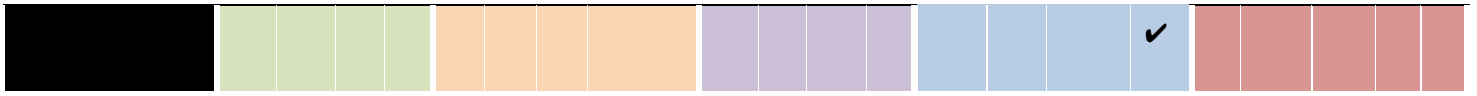
Supporting institution(s): Norges Bank (Norway's central bank)

Start date: Unclear

End date: Unclear

**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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
				✓	✓					✓						✓	✓				



## Policy Aim

This commitment aims to promote access to information regarding decision making in the management of Norway's national pension fund. The national pension fund is a public good of significant interest to the general public and subject to political and financial investment decisions on a regular basis. Decisions by the bank to exclude companies from that investment fund, especially on ethical grounds, have been of particular salience in Norwegian public debate.<sup>1</sup> The IRM researcher was not able to identify a specific problem that this commitment sought to address despite desk research and correspondence with focal points for the commitment.<sup>2</sup>

## Status

### Mid-term: Complete

This commitment was complete at the mid-term. Norges Bank makes voting results from general assembly meetings available online through their website (<http://www.nbim.no/en/the-fund/holdings/>). A search by the IRM researcher of the website revealed that some voting records were available which fulfilled the commitment of making voting results publically available. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

### Access to information: Did not change

The publication of voting records is a positive step 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 voting is based, are already public.

The website in question is, moreover, difficult to use. The primary search and browsing functionality is oriented around specific companies and includes a button for "voting." For the majority of the companies tested by the IRM researcher, this button led to a page declaring that no voting information was available. The ministry focal point described this as a technical challenge and noted that complete voting records were nonetheless available at <https://www.nbim.no/en/responsibility/voting-records/>. When attempting to access this website, the IRM researcher reached a page indicating that the site was not accessible to the public.

The IRM researcher has not been able to confirm the publication of all the information described in this commitment, nor any impact that the commitment has had on government practice. It is worth noting, however, that if this had been the case at the point of the mid-term evaluation, the commitment would likely not have been coded as complete. It remains unclear to the IRM researcher to what extent the inability to access relevant information is due to temporary technical failures or more significant challenges within the Ministry of Finance.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>3</sup>

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<sup>1</sup> Kristian Skårdalsmo, "Slaget om Etikkrådet til Stortinget," Dagsavisen, accessed October 11, 2016, <http://www.dagsavisen.no/innenriks/slaget-om-etikkradet-til-stortinget-1.283149>.

<sup>2</sup> Lill-Solrun Ryddheim Dahlin (Senior Adviser, Ministry of Finance), email correspondence with Christopher Wilson, August 2016.

<sup>3</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 24. Transparency and anti-corruption efforts

### Commitment Text:

*[...] 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.*

Responsible institution: Ministry of Finance

Supporting institution(s): None

Start date: Ongoing      End date: Unclear

**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 (as written)				Potential Impact				Completion		Midterm End-of-term		Did it Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
			✓		✓					✓						✓			✓		
																✓					

## Policy Aim

Country-by-country reporting (CBCR) of financial transactions by international corporations and their subsidiaries is an effort to increase international financial transparency, combat illicit financial flows, and impose appropriate taxation. Inspired by regulatory mechanisms in the United States, CBCR became a priority issue among Norwegian civil society in 2011 and prompted a discussion with the Norwegian Foreign Ministry, which eventually led to the activities described in this commitment.<sup>1</sup>

## Status

### Mid-term: Complete

This commitment was complete at the mid-term when the government proposed the CBCR bill to the parliament. For more information, please see IRM Progress Report 2013-2014.

## Did it open government?

### Access to information: Marginal

The commitment opened access to information by increasing private sector transparency. It mandated the disclosure of information such as the registration of company subsidiaries, including those in tax havens. However, some sectors and tax havens are exempt from reporting, and civil society actors have expressed a desire to strengthen the legislation,<sup>2</sup> which is set to be reviewed in 2018. However, proposals have already been made by government ministries to amend the legislation to require less transparency,<sup>3</sup> a move met with strong resistance from civil society.<sup>4</sup> The future of this legislation appears unclear at this time. Desk research and interviews conducted by the IRM researcher have not identified any instances in which the CBCR information produced by these activities have been used by civil society to seek accountability. The potential for it is significant, however.

## Carried forward?

This commitment has been carried forward in the Norwegian government's third national action plan, under the following commitment heading:

8. Study how relevant information related to country-by-country reporting from subsidiaries and support functions in third countries should be presented in the accounts, as well as possible supervisory schemes. (Country-by-country reporting).

The action plan is available on the OGP website.<sup>5</sup>

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<sup>1</sup> "Positiv til land-for-land-rapportering men venter på EU," Tax Justice Network Norway, accessed October 11, 2016, <http://taxjustice.no/ressurser/positiv-til-land-for-land-rapportering-men-venter-pa-eu>.

<sup>2</sup> "Hvorfor Norge bør prioritere utvidet land-for-land rapportering," Publish What You Pay Norway (26 May 2016), accessed October 11, 2016, <http://www.publishwhatyoupay.no/nb/node/16898>; and "Land-for-land-rapporteringen må være åpen," Tax Justice Network Norway (January 27, 2016), accessed September 8, 2016, <http://taxjustice.no/ressurser/land-for-land-rapporteringen-ma-vaere-åpen>.

<sup>3</sup> "Endringer i ligningsloven (land-for-land-rapportering til skattemyndighetene)," Stortinget Prop. 120 L (2015-2016), accessed September 8, 2016, <https://www.stortinget.no/no/Saker-og-publikasjoner/Saker/Sak/?p=65606>.

<sup>4</sup> "Lurer du på hvorfor LLR må være åpen?," Tax Justice Network Norway (June 15, 2016), accessed September 8, 2016, <http://taxjustice.no/ressurser/lurer-du-pa-hvorfor-llr-ma-vaere-åpen>.

<sup>5</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## 25. The municipal sector

### Commitment Text:

[...]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.

Responsible institution: Norwegian Association of Local and Regional Authorities (KS)

Supporting institution(s): None

Start date: Ongoing      End date: Unclear

**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 (as written)				Potential Impact				Completion		Midterm		Did it Open Government?				
															End-of-term						
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsened	Did not change	Marginal	Major	Outstanding
		✓			✓					✓				✓		✓			✓		

## Policy Aim

This commitment addresses a broad range of issues regarding municipal governance and performance measurement. The commitment includes a number of activities undertaken by a civil society organization (CSO)—the Norwegian Association of Local and Regional Authorities (KS)—charged with improving the quality and efficiency of municipal government. Information on municipal governments is partially available on national registry sites and more often on local government websites, but is generally not standardized. The quality also varies significantly from region to region, according to the different policies, infrastructures, and political priorities of different municipal and local governments. This can frustrate coordination and national level programming aimed at the municipal level. This commitment aims to improve access to information on municipal governance generally, and includes a specific focus on board appointments, technical indicators, and strategic plans in the education sector.

## Status

### Mid-term: Limited

KS created the Board Appointment Register, which 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. KS also 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 status as a CSO seems to have inhibited progress on fulfillment.

### End-of-term: Substantial

Some progress has been made in almost all of the areas addressed by this commitment, and significant progress has been made on some. The Board Appointments Register (Styrevervregisteret, <http://www.styrevervregisteret.no/>) has been further developed to include 1) specific information on individuals, 2) automatic updates from Norway's public register (<https://www.brreg.no/>), and 3) online editing functionality for users' own profiles and email alerts for users. The municipal reporting mechanism, KOSTRA, underwent an external evaluation,<sup>1</sup> which led to the inclusion of two additional quality indicators and discussion about the implementation of an Application Program Interface (API) for KOSTRA data. These are now incorporated into the KOSTRA platform.<sup>2</sup> KS has also produced recommendations on dual role issues concerning municipal ownership, which are available at [www.ks.no](http://www.ks.no).

## Did it open government?

### Access to information: Marginal

Easy accessibility of information on municipal governing bodies is an important component of increasing openness at the municipal government level, and the importance of municipal governance has been repeatedly stressed in several consultations the IRM researcher held while preparing this report. It is also clear from the research for this report that implementation of this commitment through a CSO was a challenge, keeping the commitment's objectives from being realized. This was at least in part due to the complex institutional relationships involved in municipal governance. Non-governmental actors do not always have the legitimacy, authority, or social capital necessary to engage with government counterparts in the ways that other government actors might. Nor do they have direct control over relevant budget lines or administrative processes. The IRM researcher wonders whether this commitment could have achieved greater openness of government if it were implemented and "owned" by a government agency.

## Carried forward?

This commitment has not been carried forward in the Norwegian government's third national action plan, which is available on the OGP website.<sup>3</sup>



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<sup>1</sup> Marianne Holmesland, Simen Pedersen, and Vibeke Wøien Hansen, "Rapport Forenkling av rapporterings-, dokumentasjons- og rutinekrav i helse- og omsorgssektoren og fysisk planlegging, areal og miljø," Rambøll (2015), accessed September 9, 2016, [http://www.ks.no/contentassets/557a8a1ecd4f40a486fa5f1ddead71b3/rapport-forenkling-av-dokumentasjons--rapporterings--og-rutinekrav\\_final.pdf?id=24671](http://www.ks.no/contentassets/557a8a1ecd4f40a486fa5f1ddead71b3/rapport-forenkling-av-dokumentasjons--rapporterings--og-rutinekrav_final.pdf?id=24671).

<sup>2</sup> "KOSTRA - KOMmune-STat-RApportering, 2015, reviderte tall," Norwegian Bureau of Statistics, accessed September 8, 2016, <https://www.ssb.no/kostrahoved/?fane=om#content>.

<sup>3</sup> "Norway's third action plan Open Government Partnership (OGP)," Ministry of Local Government and Modernisation, accessed September 4, 2016, [http://www.opengovpartnership.org/sites/default/files/Norway\\_2016-17\\_NAP.pdf](http://www.opengovpartnership.org/sites/default/files/Norway_2016-17_NAP.pdf).

## METHODOLOGICAL NOTE

This End-of-Term Report for Norway's second action plan builds on desk research and consultations supporting the IRM Progress Report for the same plan, released in October 2015. Preparation for this report included desk research and face-to-face meetings with the Ministry of Local Government and Modernisation (KMD). Information on specific commitments and processes were solicited from eight commitment focal points in other ministries and from the OGP Council.

This final evaluation was conducted by Christopher Wilson, an independent researcher, on behalf of the Engine Room, an organization devoted to investigating and supporting the effective use of data and technology in advocacy.

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.

