


INDEPENDENT REPORTING MECHANISM (IRM):

THE PHILIPPINES PROGRESS REPORT 2015–2017



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Progress Report

INDEPENDENT REPORTING MECHANISM (IRM): THE PHILIPPINES

PROGRESS REPORT [2015-2017]



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EXECUTIVE SUMMARY

INDEPENDENT REPORTING MECHANISM (IRM): THE PHILIPPINES PROGRESS REPORT 2015-2017

In anticipation of the 2016 election, the third Philippine action plan sought to institutionalize existing OGP participatory mechanisms and largely continued expanding the scope of activities from previous action plans. While general awareness of OGP remains low, the passage on an Executive Order on Freedom of Information and inclusion of new commitments on improving public service delivery indicates sustained energy on areas with immediate impact on citizens' lives.

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

The Philippines is one of the eight founding countries in the OGP initiative and began formal participation in September 2011, when President Benigno S. Aquino III, along with other high-level ministers and heads of state launched the OGP initiative in New York.

The Steering Committee, made up of representatives from government, civil society, and the business community, leads the OGP process in the Philippines. The Steering Committee serves as the consultation and coordination forum on the status and implementation of action plan commitments. The Good Governance and Anti-Corruption Cluster (GGACC) of the President's Cabinet is the coordination unit responsible for OGP activities in the Philippines, though in practice the OGP secretariat housed in the Department of Budget and Management, coordinated commitment implementation and served as the communication center for the Steering Committee. Note: Timeline covered by the assessment of action plan implementation are activities and updates from September 2015 – June 2016 only.

AT A GLANCE

PARTICIPATING SINCE: 2011
NUMBER OF COMMITMENTS: 13

LEVEL OF COMPLETION

COMPLETED:	1 (7%)
SUBSTANTIAL:	8 (62%)
LIMITED:	4 (31%)
NOT STARTED:	0 (0%)

COMMITMENT EMPHASIS

ACCESS TO INFORMATION:	5 (38%)
CIVIC PARTICIPATION:	3 (23%)
PUBLIC ACCOUNTABILITY:	3 (23%)
TECH & INNOVATION FOR TRANSPARENCY & ACCOUNTABILITY:	1 (7%)

COMMITMENTS THAT ARE

CLEARLY RELEVANT TO AN OGP VALUE:	8 (62%)
OF TRANSFORMATIVE POTENTIAL IMPACT:	0 (0%)
SUBSTANTIALLY OR COMPLETELY IMPLEMENTED:	9 (69%)
ALL THREE (★):	0 (0%)

This report was prepared by Joy Acheron, director at Government Watch (G-Watch)

OGP PROCESS

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

Following recommendations from the previous IRM report, the PH-OGP Secretariat intensified efforts to create awareness about OGP. Though the consultation in the third action plan was broadened, the breadth of participation is still limited when compared to the civil society organizations in the Philippines that are working on broader and strategic governance responsiveness and accountability and constrained to the immediate networks of those already involved in PH-OGP. Stakeholders find that OGP is closely identified with a certain group of reformers inside the Aquino government, and the relevance of open government to everyday concerns of citizens and persistent issues confronting CSOs is not yet well captured. Everyday concerns of citizens that hit the headlines this period include: food security, traffic, corruption in frontline services; while persistent issues facing CSOs include sustainability, fragmentation and effectiveness.

The PH-OGP Steering Committee also serves as the permanent multistakeholder forum for OGP in the Philippines. Between June 2015 and May 2016, eight Steering Committee meetings took place, with minutes circulated to members for comment. During this time, quarterly multi-stakeholder assessment workshops involving a wider set of organizations were also held. At these workshops the government provided updates and solicited feedback on the progress of the action plan. Participation was by invitation-only and targeted partners and networks of Steering Committee members.

The government released a draft self-assessment report for public comment on 13 September 2016 through email, social media, and government website. Comments generated from the two-week public comment period (13 – 27 September) were incorporated into the final self-assessment report published on 30 September 2016.

COMMITMENT IMPLEMENTATION

As part of OGP participation, countries make commitments in a two-year action plan. The Philippine action plan contains 13 commitments. The following tables summarize for each commitment the level of completion, potential impact, whether it falls within the Philippines' planned schedule and the key next steps for the commitment in future OGP action plans. Similar commitments have been grouped and re-ordered in order to make reading easier.

Note that the IRM updated the star criteria in early 2015 in order to raise the standard for model OGP commitments. Under these criteria, commitments must be highly specific, relevant to OGP values, of transformative potential impact, and substantially completed or complete. The Philippines received no starred commitments.

Table 1 | Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
★ COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.								
1. Law on Access to Information								
2. Transparent local government plans and budgets								
2.1. Increase LGU compliance with FDP								
2.2. Local government documents in open format								
2.3. CSO use of published data								
3. Open Data								
3.1. Open Data guidelines								
3.2. Open Data institutional ownership								
3.3. Showcase Open Data								
3.4. 6000 files in Open Data portal								
3.5. Open data teams in 5 government agencies								

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
★ COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.								
4. Extractive Industries' Transparency								
4.1. Timely publication of EITI reports								
4.2. Validation process for EITI compliance								
4.3. Policies to promote transparency in extractives								
4.4. CSO participation in EITI								
4.5. CSO coalition on EITI								
4.6. Use EITI data								
5. CSO engagement in public audit								
5.1. Adopt CPA support policies								
5.2. 2 CPA activities 2015-2017								
5.3. 5 CSO/private sector capacity building activities								
5.4. 25 CSO citizen auditors								
6. CSO participation in local poverty reduction budget planning								
6.1. LPRAP for cities and municipalities								
6.2. Increased fund allocations								
6.3. Feedback and monitoring mechanism								
6.4. Citizen participation in Budget Bill								

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
★ COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.								
6.5. Case study on BUB per region								
7. Community participation in local development planning								
7.1. POs and CSOs in local development councils								
7.2. Involve community in poverty reduction planning								
7.3. Community projects completed								
7.4. Case study on KALAHI-CIDDS per region								
8. Feedback mechanism to improve public delivery								
8.1. Public reports via CBB acted upon by CSC								
8.2. Increase CSC-SEA recipients								
9. Enhance performance benchmarks for local governance								
9.1. Enhance and scale up indicators								
9.2. Assess 1653 PCMs annually								
9.3. Confer Seal on qualified PCMs								
9.4. CSO representatives on SGLG assessment team								
10. Improve ease of doing business								
11. Local government competitiveness								
11.1. More LGUs covered by CMCI								

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
★ COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
11.2. Improve LGU competitiveness								
11.3. Institutionalize CMCI data collection								
12. Public-Private sector dialogue on inclusive growth								
12.1. Dialogue secretariat								
12.2. Economic development priorities								
12.3. Report on Public-Private High Level dialogues								
12.4. Private sector discussion and monitoring								
12.5. 2 regional fora on local issues								
12.6. CSO/stakeholder involvement in discussion								
13. Integrity Initiative on Corporate Accountability								
13.1. Policy to support integrity initiative								
13.2. Integrity Pledge signatories								

Table 2 | Summary of Progress by Commitment

NAME OF COMMITMENT	SUMMARY
1. Law on Access to Information <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Limited 	<p>Citizen access to and use of quality and relevant information remain a challenge in the Philippines despite transparency and access to information being part of the Aquino administration's priority plans and commitments in previous OGP action plans to pass a Freedom of Information (FOI) law. This commitment sought to convene roundtable discussions/workshops with various policy actors to build consensus and move forward on the access to information agenda, which includes passage of the FOI law. The FOI Bill passed second reading in the Senate but was not scheduled for plenary deliberation before the 16th Congress closed. The IRM researcher found no publicly available evidence that roundtable discussions/workshops took place during the first year of implementation. The new Duterte administration passed an Executive Order in July 2016 providing guidelines for the public's access to information in the executive branch. The IRM researcher recommends that if this commitment is included in the next Action Plan, the deliverables should include steps in the legislative process that the PH-OGP can deliver on such as including the FOI Bill in the Executive's priority legislative agenda. Implementation of the Executive Order should also be included, with deliverables that test the utility of the EO in ensuring access to and usefulness of relevant information.</p>
2. Transparent local government plans and budgets <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Implementation of transparent disclosure policies at the local government level remains varied in the Philippines. This commitment is carried forward from the previous two OGP action plans, which sought to increase compliance rates for disclosure of budgets by local government units (LGUs). The commitment aims to increase the number of LGUs in compliance with Full Disclosure Policy (FDP) and encourages CSOs to develop products using data from the centralized FDP portal. The government surpassed its target numbers for bringing more LGUs into compliance with FDP, though efforts by the Budget Advocacy Group (BAG) to produce reports and data visualizations using the FDP portal data stalled due to lack of funds. The IRM Researcher recommends future commitments focus on ensuring the incentives provided to encourage compliance to FDP are maintained. The IRM researcher also recommends finding sustainable ways to increase citizen awareness and use of FDP data at the grassroots level. The next commitment should also seek to normalize transparency of and citizen engagement with LGU budget data.</p>
3. Open Data <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Proactive disclosure and release of public data is not a common practice in Philippine bureaucracy. The commitment aims to proactively release government data in open formats (machine-readable, reusable format) and generate an ecosystem for its use and reuse by the public through the program Open Data Philippines (ODP). The commitment deliverables include passing policies that institutionalize the open data program and creating target numbers for data to be published via data.gov.ph. Joint Memorandum Circulars to institutionalize the Open Data Task Force and have national government agencies adopt Open Data were issued 2014 and 2015 respectively. The Task Force Secretariat is tentatively housed under the Department of Information and Communications Technology (DICT) and open data is seen by the Duterte administration as complementary to the new EO on FOI. As of Q2 2016, 3,126 data files and 819 data sets were published to the ODP portal and third party outfits have created information tools using the data. However, proactive release of data by government agencies has stalled with only 12 agencies providing data for the ODP portal despite prodding by the DBM and the fact that open data is a priority program. There is little early evidence that this commitment has led to meaningful change in the mindset of Filipino bureaucrats when it comes to opening data by default. This is compounded by a lack of citizen interest and uptake in using data that has been opened. The IRM researcher recommends that this commitment be included in the next action plan, but with a focus on the incentive framework both for data release and data use.</p>

NAME OF COMMITMENT	SUMMARY
4. Extractive Industries' Transparency <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>The Philippines is rich with natural resources, yet there are many issues and challenges surrounding the extraction and use of these resources. The objective of this commitment is to improve governance of the extractive sector by taking part in the Extractive Industries Transparency Initiative (EITI). This commitment builds on EITI accession activities from previous OGP action plans and includes activities to be carried out by government and civil society on ensuring continued compliance with EITI publication and validation processes as well as building a strong CSO coalition to engage with EITI activities, respectively. The level of completion of this commitment is substantial, though the major deliverable, completion of the validation process, was incomplete at the end of the first year of implementation. According to the EITI team, the delays are partly due to the post-election political transition and the delay in the release of external funding. One of the remarkable accomplishments of the CSO coalition on EITI led by Bantay Kita was directly engaging with community advocates to match their information needs with EITI data provided/secured and processed by Bantay Kita. Additionally, at the EITI Global Conference in Lima, Peru in February 2016, the Philippines was conferred the EITI International Chairs Award for "impactful implementation" of EITI. The IRM Researcher recommends emphasis on the public use of data and institutionalization of the initiative. PH-EITI must clarify how it can best maximize the OGP platform and make clear what the value-added will be of the targets implemented through the OGP platform.</p>
5. CSO engagement in public audit <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Citizen Participation Audit (CPA) aims to institutionalize citizen participation in public audit to support the Commission on Audit (COA) in promoting transparency and accountability in government by "deputizing" citizens to serve as public auditors of COA projects. The CPA has been a commitment in the Philippine national action plan from the beginning and in this action plan, the deliverables are intended to sustain and expand CPA beyond its current narrow scope and donor-dependent funding. Ten CPA activities and six capacity building activities were conducted for civil society and the private sector as of August 2016. Two CPA reports have been completed and are awaiting clearance for online publication. 29 CSOs have been trained and deployed as citizen auditors from June 2015 to August 2016. The CPA has demonstrated that citizens can contribute to effective public audit by ensuring projects and services are implemented/delivered according to standards and serving as a force multiplier for COA. What remained unclear at the end of the first year of implementation was whether there was a clear plan for legislation institutionalizing and scaling up citizen participation the CPA. COA and ANSA-EAP both recommend the continuation of the commitment, with the recommendation of clarifying how the OGP platform can contribute more concretely to CPA and the broader open government change agenda. The IRM researcher recommends that future commitments on the CPA also include indicators for expansion and scaling of the program.</p>

NAME OF COMMITMENT	SUMMARY
6. CSO participation in local poverty reduction budget planning <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Planning and budgeting in the Philippines has been overly-centralized and top-down with few inputs from ordinary citizens, despite the Constitution and the 1991 Local Government Code ensuring CSO participation. As a result, budget and plans have been unresponsive to the needs of citizens (especially the poor) and are prone to abuse and corruption, hindering development and growth. This pre-existing commitment aims to strengthen CSO participation in local poverty reduction budget planning through Bottom-up-Budgeting (BuB). For this action plan, the commitment deliverables include increasing the number cities and municipalities who submit their Local Poverty Reduction Action Plans (LPRAP) following participatory processes. The commitment also includes corresponding deliverables for CSOs that include dialogues on institutionalizing BuB through legislation and case studies on the effectiveness of BuB. The level of completion of the commitment is substantial. The number of LPRAPs passed in 2016 has exceeded the annual target. Additionally the allocated amount for performance downloads (performance-based funds allocated to high-performing local governments) also exceeded the target. During the implementation period, a dialogue on BuB took place at the House of Representatives and CSOs conducted two studies on BuB. The IRM researcher highly recommends including the BuB program in future action plans, though at this time the new Department of Budget and Management (DBM) has scrapped BuB from the 2017 budget.</p>
7. Community participation in local development planning <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Planning and budgeting in the Philippines has been overly centralized and top-down with few inputs from ordinary citizens. As a result, budget and plans have been unresponsive to the needs of citizens (especially the poor) and are prone to abuse and corruption, hindering development and growth. The commitment aims to strengthen community participatory processes to facilitate involvement of citizens in local development planning. The deliverables include increasing membership of people's organizations and civil society organizations in local development councils and special bodies. It also aims to ensure submission of poverty reduction action plans of thousands of barangays and completion of community projects. To document the experience of the communities and note the quality of participation, the civil society commitment holder, the Task Force Participatory Local Governance (TF-PLG) will conduct a study on citizen participation in National Community-Driven Development Program (KC-NCDDP). The IRM Researcher marks the accomplishments on this commitment as substantial. Except for the lack of reported progress on the CSO deliverable to study citizen participation in KC-NCDDP, there has been significant progress in increasing membership in local development councils and submission of poverty reduction plans. The IRM researcher recommends this commitment be included in the next action plan with a focus on the quality and sustainability of participation.</p>
8. Feedback mechanism to improve public delivery <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>Delivery of frontline services in the Philippines has been plagued by inefficiency and graft. Government agencies have poor service commitments to the public and customer feedback has not been utilized to improve service performance. The commitment aims to improve public service delivery through an effective government feedback and monitoring mechanism. Deliverables include increasing the percentage of reports acted upon and increasing the percentage of offices that have obtained the Citizens' Satisfaction Center-Seal of Excellence Award. According to the Self Assessment Report, CSC acted upon 100 percent of public reports lodged via CCB, in 2015 and 2016. The feedback was forwarded to concerned agencies for action. However, there was no increase in the number of offices receiving the Seal of Excellent Award –though stakeholders interviewed attribute this to changes in the criteria that has made it harder for offices to qualify for the Seal. The success of the Integrated ARTA lies in citizen use of the platforms and mechanisms. The next steps should focus on promoting more citizen use, including the feedback mechanisms available at the frontline services. The IRM researcher also recommends closer attention be given to the kind of response and actions that are generated from public feedback and the RCS assessment so that the actions taken ultimately improve services.</p>

NAME OF COMMITMENT	SUMMARY
9. Enhance performance benchmarks for local governance <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial 	<p>The state of development and governance in local governments across the country varies, with some local governments continuing to struggle, while a few are performing well but inconsistently over time. The commitment aims to encourage good performance among local governments through the Seal of Good Local Governance (SGLG), a recognition of good performance of provincial, city and municipal governments in areas that directly benefit the people. Commitment deliverables include enhancing the performance scales for SGLG, increasing the number of Provinces, Cities and Municipalities (PCMs) assessed annually from 2015- 2017, confer Seals to all qualified PCMs and ensure representation of CSOs in the SGLG Assessment Team. The progress of this commitment is substantial and on-time, with three of the four deliverables completed and the 2016 assessment of PCMs still on-going at the end of the first year of implementation.</p>
10. Improve ease of doing business <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Limited 	<p>While the Philippine economy has steadily grown in the past five years, the country's poverty incidence remains high at approximately 25 percent since 2012. The Aquino Administration tried to address this problem with pro-investment policies aimed at improving competitiveness. The commitment aims to bring Philippine competitiveness rankings from the bottom third to the top third in the world by 2016 in Ease of Doing Business Survey by implementing the Gameplan on Competitiveness, which includes performance-based incentive system of all government agencies concerned with business-process related services. As written the commitment does not include measurable activities nor is it clear how increasing the Philippines' ranking in the Ease of Doing Business Survey will make government practice more open, transparent, and accountable to its citizens. The target of the commitment has not been achieved. The Philippines has fallen from 95th to 103rd place in the 2016 Doing Business Survey. Nonetheless, the National Competitiveness Council (NCC), the commitment holder, reported that there has been substantial progress in streamlining business processes in the country. The relevance of this commitment to OGP is not immediately recognizable. The IRM researcher recommends identifying open government solutions within the Gameplan for Competitiveness be selected as the focus of the OGP commitment.</p>
11. Local government competitiveness <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Complete 	<p>The level of competitiveness of local governments, which affects LGUs' ability to grow their economy, varies across the country. The objective of the commitment is to design a diagnostic tool, the City and Municipalities Competitiveness Index (CMCI), that can be used by LGU officials in assessing their level of competitiveness and identifying areas for improvement and collaboration. The commitment is on time and all of its target deliverables on increasing coverage and competitiveness for LGUs have been accomplished. Additionally two MOAs were signed with the National Competitiveness Council (NCC), Department of Trade and Industry (DTI), and Department of the Interior and Local Government (DILG). institutionalize CMCI and create a framework for collaboration. The improved scores on competitiveness of a good number of local governments only four years after the CMCI was initiated in 2012 is indicative of early results that can be scaled up and sustained. This means that to some extent, there are LGUs that are acting upon the findings through CMCI to improve their competitiveness.</p>

NAME OF COMMITMENT	SUMMARY
<p>12. Public-Private sector dialogue on inclusive growth</p> <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential Impact: Moderate • Completion: Limited 	<p>With millions of Filipinos continuing to live in poverty, inclusive growth in the country remains a challenge. The commitment aims to reinvigorate and institutionalize government and business sector collaboration through regular dialogue with the Philippine Business Groups - Joint Foreign Chambers (PBG-JFC). As written, it is unclear how institutionalizing public-private collaborations will open government practice to be more transparent, participatory, or accountable to its citizens. Progress on this commitment during the first year was limited. Two high level dialogues were convened in October and April 2016 but the IRM researcher was unable to find publicly available information on items discussed. In 2016 PBG-JFC also organized a roundtable discussion with industry representations to discuss concerns and recommendations regarding trade liberalization and trade agreements. The IRM Researcher recommends that this commitment be reformulated to be clearly relevant to OGP values. In particular, it could focus on enhancing public accountability by obliging government agencies to respond publicly to specific public issues affecting the economy and development put forward by the private sector.</p>
<p>13. Integrity Initiative on Corporate Accountability</p> <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential Impact: Moderate • Completion: Limited 	<p>According to the Financial Transparency Coalition, the private sector plays a big part in feeding public sector corruption through bribery and fraud. The commitment aims to institutionalize public and corporate accountability, integrity, and transparency through the Integrity Initiative, which aims to cultivate and promote common ethical and acceptable integrity standards in the public and private sector. The commitment deliverable is enlist 3,000 and 5,000 Integrity Pledge signatories in 2015 and 2016, respectively, and to work on the issuance of a policy in support of the Integrity Initiative. As written, it is unclear how increasing the number of Integrity Pledge signatories is relevant to OGP values since the pledge focuses on reducing corrupt practices in the private sector but there are no corresponding sanctioning activities described for government officials that contribute to corruption in the private sector. The level of completion of this commitment is limited. Several advocacy and outreach events took place to support the achievement of the target, however, only 2,636 out of the target 3,000 signatories in 2015, and 3,755 out of 5,000 in 2016 have been generated. If this commitment is to be carried forward, the IRM researcher recommends clarifying the relevance of the deliverables to OGP values. For instance, a deliverable can focus on actions taken on integrity issues which surfaced through the certification system. This will clarify the accountability dimension of this commitment.</p>

RECOMMENDATIONS

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

Top Five "SMART" Recommendations

1	Devise coherent strategy for OGP in the Philippines
2	"Bring OGP closer to citizens" as strategic theme
3	Engage Advocacy/Cause-oriented groups and communities
4	Lobby for FOI law, while maximizing Open Data and FOI executive order
5	Strengthen commitments on accountability

ELIGIBILITY REQUIREMENTS: [2014]

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

Joy Acheron is the Convenor-Director of G-Watch (www.g-watch.org) and a Research Fellow at the Accountability Research Center (ARC) based in the School of International Service at American University. A Cum Laude graduate of the University of the Philippines-Diliman with a bachelor's degree in political science and a master's degree in public policy, Joy has 15 years' experience in citizen monitoring, citizenship education and civil society-government engagement and has published works on civil society participation, political reform and vertically-integrated citizen-led reform campaigns. Joy has been invited to over 20 countries all over the world to speak at international conferences and facilitate learning workshops on accountability, policy reform, and civil society.



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

I | NATIONAL PARTICIPATION IN OGP

1.1 HISTORY OF PARTICIPATION IN OGP

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

The Philippines began its formal participation in September 2011 as one of the eight founding countries of OGP when President Benigno S. Aquino III declared the country's intention to participate in the initiative.

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

All OGP-participating governments develop OGP action plans that elaborate concrete commitments over an initial two-year period. Action plans should set out governments' OGP commitments, which move government practice beyond the status quo. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

The Philippines developed its third national action plan from September 2014 to August 2015. The effective

period of implementation for the action plan submitted in August 2015 was 1 September 2015 to 30 June 2017. This mid-term progress report covers the development phase (September 2014 to May 2015) and the first year of implementation of this period, from 1 September 2015 to 30 June 2016. Beginning in 2015, the IRM also publishes end of term reports to account for the final status of progress at the end of the action plan's two-year period. Any activities or progress made after the first year of implementation in June 2016 will be assessed in the End of Term report.

This report follows on an earlier review of OGP performance, "Philippines End of Term Report 2013-15," which covered the implementation of the third action plan from January 2014 to December 2015¹. The government published its self-assessment on 30 September 2016 after making it available for public comment from 12 to 26 September, where it generated 10 comments sent through e-mail. At the time of writing, October 2016, the first Steering Committee meeting under the new Administration of President Rodrigo Duterte has been convened and the PH-OGP Secretariat is already preparing for the development of the fourth action plan.

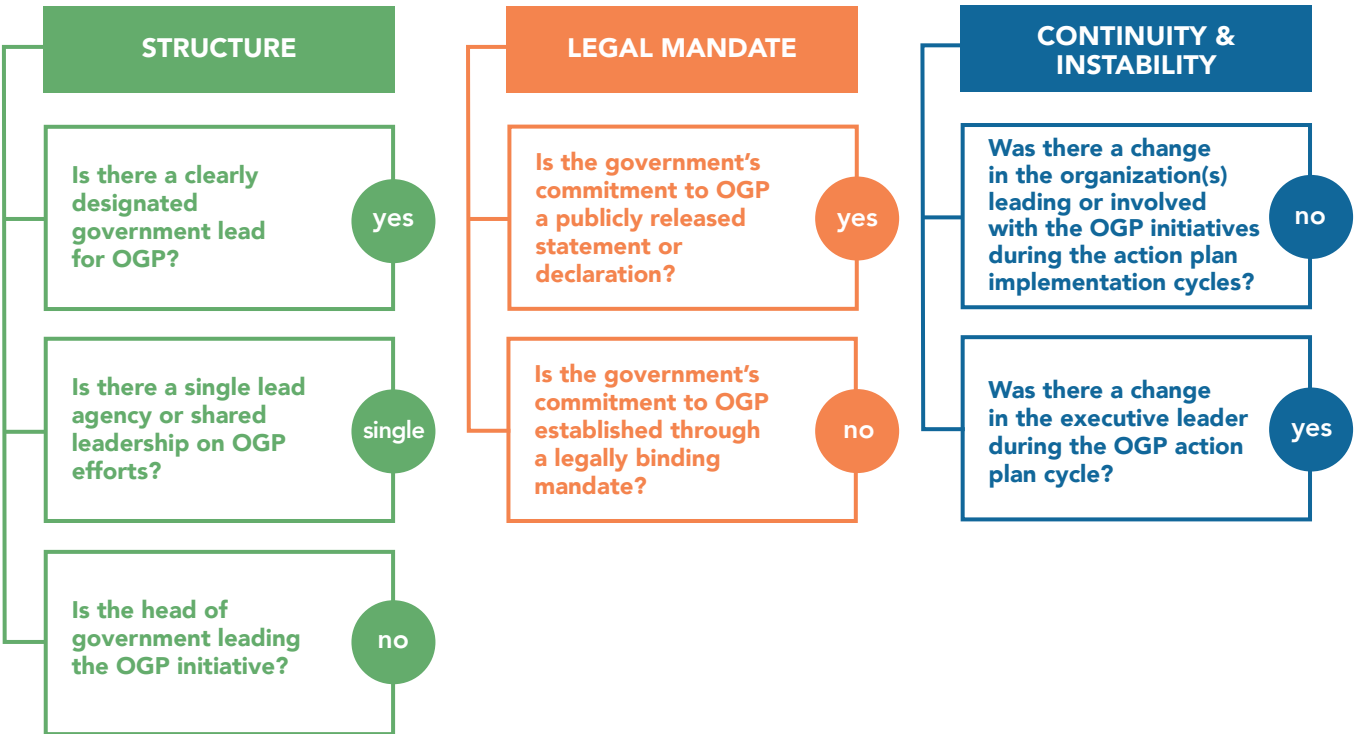
In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Joy Aceron, convenor-director of Government Watch (G-Watch), who carried out this evaluation of the development and implementation of the Philippines' third action plan. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP-participating country. Methods and sources are dealt with in a Methodology and sources (Section VI) in this report.

To gather the voices of multiple stakeholders, the researcher conducted key informational interviews with representatives of all the lead implementing

institutions, the PH-OGP Secretariat and the Steering Committee. The researcher has reviewed two key documents prepared by the government: the third national action plan and the self-assessment published

by the government on 30 September 2016²; as well as documents such as minutes and documentation and status reports available on PH-OGP Dropbox. This report makes numerous references to these documents.

Table 1.1 | OGP Leadership in [Country]



1.2 OGP LEADERSHIP IN PHILIPPINES

This sub-section describes the OGP leadership and institutional context for OGP in the Philippines. Table 1.1 summarizes this structure while the narrative section (below) provides additional detail.

The institutional arrangement for OGP in the Philippines in the third action plan is the same as the last action plan. Philippine participation in the OGP is under the Good Governance and Anti-Corruption Cluster (GGACC), the Secretariat of which is lodged within the Department of Budget and Management (DBM). The GGACC is a cabinet cluster responsible for policymaking on anti-corruption, improvement of public services and enhancement of overall business climate.

There is a Steering Committee formed to coordinate and monitor OGP commitments in particular. The PH-OGP Steering Committee is composed of government agencies, civil society organizations, academe, public sector unions, and business organizations that are involved in the OGP commitments. The DBM chairs the PH-OGP Steering Committee and houses the PH-OGP Secretariat, specifically under the Reform Innovation Unit. For the development and first year of implementation of the third action plan (1 September 2015 to 30 June 2016), the PH-OGP Secretariat in the DBM is composed of the PH-OGP focal person, an assistant secretary, an undersecretary, and two staff members.

During the first action plan cycle, 10 national civil society networks selected the interim civil society representatives for the PH-OGP Steering Committee. The government and interim civil society representatives organized a more formal election process in 2013. New members of the Steering Committee took part in another election in the first semester of 2016. All the new Steering Committee members were previously involved in the OGP process in the Philippines. The three new CSO Steering Committee members represent the same CSO networks that were previously involved in the OGP process, though they come from different organizations within the networks. The representatives

from business organizations, academe, and public sector labor unions remained the same.

The legal mandate of the OGP emanates from Executive Order 43 that created the GGACC. The participation of the Philippines in the OGP is also made official and public through its formal declaration of support and involvement in the OGP. A Terms of Reference also governs the PH-OGP Steering Committee. However, there is no legally binding policy document that establishes the country's OGP processes. The OGP secretariat had an allocated budget, but the rest were program allocations that were not specifically identified as 'OGP budgets'.

Table 1.2 | Participation in OGP by Government Institutions

HOW DID INSTITUTIONS PARTICIPATE?		MINISTRIES, DEPARTMENTS, AND AGENCIES	LEGISLATIVE	JUDICIARY (INCLUDING QUASI JUDICIAL AGENCIES)	OTHER, INCLUDING CONSTITUTIONAL, INDEPENDENT, OR AUTONOMOUS BODIES	SUBNATIONAL GOVERNMENTS
Consult ³	Number	8/19	0	0	1	36
	Which ones?	See endnote ⁴			Union of Local Authority in the Philippines	See endnote ⁵
Propose ⁶	Number	8	0	0	1	0
	Which ones?	See endnote ⁷			Union of Local Authority in the Philippines	
Implement ⁸	Number	12	0	0	1	22
	Which ones?	See endnote ⁹			Union of Local Authority in the Philippines	See endnote ¹⁰

With the political transition that took place in June 2016 after the election of Rodrigo Duterte to the presidency, the clustering of the cabinet is expected to change. As such, it is expected that there will be changes in the institutional arrangement governing the Philippines' participation in the OGP. However, during the first year of action plan implementation, which ended on 30 June 2016, there were no changes to the institutional arrangement for OGP in the Philippines. The CSO members of the Steering Committee, with the assistance of the OGP Secretariat and the development partners, ensured formal introduction and buy-in for the OGP by the new administration.

Following the first PH-OGP Steering Committee meeting under the Duterte Administration held on 3 October 2016, the DBM remains the Steering Committee Chair and Secretariat of the PH-OGP and new executive branch offices (Office of the Cabinet Secretary and National Economic and Development Authority) and Congress (representatives from the House of Representatives and the Senate) will become part of the Steering Committee. The meeting elected a non-government CSO co-chair, Natalie Christine Jorge of Budget Advocacy Group (BAG) and INCITEGov, and formed a counterpart CSO secretariat through support from development partners. Furthermore, as part of the effort to institutionalize OGP, the PH-OGP Secretariat transferred in late 2016 to Fiscal Planning and Reforms Bureau, a permanent unit in the DBM, which was previously called Fiscal Planning Bureau. Since these changes took place after the first year of implementation, they will be further analyzed in the end of term report.

1.3 INSTITUTIONAL PARTICIPATION IN OGP

This sub-section describes which government (state) institutions were involved at various stages in OGP. The next section will describe which non-governmental organizations were involved in OGP.

In the Philippines, most of the OGP commitments are embedded within existing good governance and

anti-corruption programs under the Good Governance and Anti-Corruption Cluster (GGACC) of the Executive branch. Non-government stakeholders propose and co-implement others. Chaired by the president, the GGACC is composed of the cabinet secretaries heading the departments of budget and management, finance, interior and local government, justice, trade and industry, the legislative liaison office, and the president's legal counsel. The implementation of OGP commitments is in the hands of the government agencies responsible for the larger GGACC programs included in the commitment. The agencies responsible for these GGACC programs report on the progress of the implementation of the OGP commitments through a monitoring system lodged at the PH-OGP Secretariat in the Department of Budget and Management (DMB).

Unlike the first two national action plans, the participation of government institutions in the third national action plan went beyond the members of the Good Governance and Anti-Corruption Cluster (GGACC). They informed and/or consulted 19 government agencies from the executive branch about the action plan development and implementation. Local government participated more in the third action plan development. The five regional fora had mobilized 36 LGUs to generate comments on the existing OGP commitments and inputs to the next action plan. Twenty-two LGUs have taken part in the implementation of the programs that are part of the OGP commitments. The legislature, however, was not involved in any stage of the OGP consultation process despite the fact that the NAP contains a commitment on the Access to Information Law carried over from previous NAPs.

During the implementation, quarterly multi-sectoral workshops took place to generate feedback on the commitments. However, ultimately, decisions on the content of the Philippines' action plan and what actions are to be taken on issues arising during implementation – was largely determined by the PH-OGP Steering Committee that was convened nine times from June 2015 to October 2016.

¹ Note: In anticipation of the May 2016 presidential election, the Philippines government opted to start implementation of the third national action plan early. Therefore, there is a four-month overlap period (September-December 2015) between the second and third action plans. This overlap is also noted in the End of Term report for the 2013-2015 action plan with overlapping commitments being evaluated for completion through September 2015 with an update given on progress through December 2015.

² http://www.gov.ph/governance/?post_type=resources&p=4653&doing_wp_cron=1476013248.6216139793395996093750

³ These institutions were invited to or observed the development of the action plan, but may or may not be responsible for commitments in the action plan.

⁴ Action Plan Development Period: Department of Budget and Management, Department of Social Welfare and Development, Department of Interior and Local Government, Department of Finance, Commission on Audit, Civil Service Commission, National Competitiveness Council, Presidential Communication Development Strategic Planning Office
Additional agencies invited in consultation activities during implementation period: Presidential Legislative Liaison Office, Ombudsman, Office of the Cabinet Secretary, Department of Justice, Development Academy of the Philippines, Department of Trade Industry, Bureau of Customs, Bureau of Internal Revenue, National Economic and Development Authority, Technical Education and Skills Development Authority, Department of Education

⁵ Regional Forum (Baguio): Benguet, Nueva Vizcaya, Abra, Ilocos Sur, Cagayan, Ilocos Norte, La Union, Pangasinan; Regional Forum (CDO): Lanao del Norte, Zamboanga del Norte, Surigao del Sur, Surigao del Norte, Agusan del Sur, Bukidnon, Misamis Oriental, Misamis Occidental; Luzon Regional Forum: Romblon, Bataan, Laguna, Palawan, Marinduque, Oriental Mindoro, Rizal, Surigao Nore, Camarines Norte, Cavite, Catanduanes, Masbate, La Union; Visayas Regional Forum (Cebu): Cebu, Guimaras, Samar, Leyte, Siquijor, Biliran, Iloilo; Mindanao Regional Forum (Davao): Davao del Sur, Cotabato, Sultan Kudarat, South Cotabato, Davao Oriental, Davao del Norte and North Cotabato.

⁶ These institutions proposed commitments for inclusion in the action plan.

⁷ Department of Budget and Management, Department of Social Welfare and Development, Department of Interior and Local Government, Department of Finance, Commission on Audit, Civil Service Commission, National Competitiveness Council, Presidential Communication Development Strategic Planning Office

⁸ These institutions are responsible for implementing commitments in the action plan whether or not they proposed those commitments.

⁹ Presidential Communication Development Strategic Planning Office (replaced by Presidential Communications Operations Office for commitment 1), Office of the Presidential Spokesperson, Department of Finance, Commission on Audit, National Anti-Poverty Commission, Civil Service Commission, National Competitiveness Council, Department of Interior and Local Government, Department of Budget and Management, Presidential Legislative Liaison Office, Department of Environment and Natural Resources-Mines and Geosciences Bureau, Department of Social Welfare and Development

¹⁰ SGLG: Bataan; Iloilo; Surigao del Norte; Vigan City; San Nicolas, Ilocos Norte. EITI: Palawan; Agusan del Sur; Toledo City; Mankayan, Benguet. Competitiveness: Naga City; Camarines Sur; Quezon City; Legazpi City; Albay; Baler; Aurora; Cainta, Rizal. BuB: Tacurong City; Ilagan City; Dinalupihan, Bataan; Jagna, Bohol; San Remigio, Cebu

II | NATIONAL OGP PROCESS

Countries participating in OGP follow a set of requirements for consultation during development, implementation and review of their OGP action plan. Table 2.1 summarizes the performance of the Philippines during the 2015-2017 action plan.

2.1 ACTION PLAN DEVELOPMENT

The upcoming political transition after the May 2016 elections was a major consideration in the development of the third Philippine national action plan. In mid-2015, the OGP Support Unit provided an opportunity for OGP founding member countries to align their action plan

Table 2.1 | National OGP Process

KEY STEPS FOLLOWED				
BEFORE	1 TIMELINE PROCESS & AVAILABILITY	2 ADVANCE NOTICE 4 of 7	3 AWARENESS RAISING	
	Timeline and process available prior to consultation	Advance notice of consultation	Government carried out awareness-raising activities	
	4 MULTIPLE CHANNELS X	5 DOCUMENTATION & FEEDBACK ✓		
	Consultations held online	Summary of comments provided		
DURING	Consultations held in person ✓			
	6 REGULAR MULTISTAKEHOLDER FORUM ✓			
AFTER	Did a forum exist?	Did it meet regularly?		
	7 GOVERNMENT SELF-ASSESSMENT REPORT ✓			
	Annual self-assessment report published	Two-week public comment period on report		
	Report available in English and administrative language ✓	Report responds to key IRM recommendations ✓		

The IRM has adapted the International Association for Public Participation (IAP2) Scale of participation for use in OGP. The table below shows the level of public influence on the action plan. From bottom to top, features of participation are cumulative. In the spirit of OGP, most countries should aspire for “collaborate” (OGP countries are generally not expected to reach empower).

Table 2.2 | Level of Public Input



cycles with the OGP calendar. The PH-OGP chose to cut short the implementation of the second action plan in order to align with the 2015-2017 (odd-year) OGP calendar. This decision also allowed the PH-OGP to start implementation of the third action plan in October 2015 and therefore bind the Philippine government to implementing the OGP commitments beyond the May 2016 elections¹,

Countries participating in OGP follow a set of requirements for consultation during development, implementation and review of their OGP action plan. Table 2.1 summarizes the performance of the Philippines during the 2015-2017 action plan.

In light of the recommendation from the Independent Reporting Mechanism (IRM) Report on the second action plan, the PH-OGP Secretariat followed the principle of ‘co-creation’ in the development of the third action plan. The idea was to prepare a plan that is co-created by the government, civil society and the private sector. Civil society and the private sector represented in the PH-OGP Steering Committee took active part in the consultations and the crafting of the plans, as well as the implementation of the commitments.

The timeline and process was not posted online prior to the consultations. According to the former PH-OGP

Point-of-Contract Patrick Lim, when the consultations for the third action plan started in September 2014, this requirement did not yet exist since the OGP consultation guidelines came into force in early 2015². This likely explains why the preparations for the development of the third action plan were not formalized (i.e., without rules or mechanics on how the consultations would be conducted, the methods of generating proposals and how the inputs from the consultation would be taken into account), as observed by Nino Versoza of INCITEGov³. Schedules of consultations, however, have been made public through different channels, such as social media and the government website⁴.

The PH-OGP Secretariat and the Budget Advocacy Group (BAG), through INCITEGov, which convened other consultation fora during the action plan development phase, ensured invitations were sent out to participants with a two-week advance notice. The invitees were identified through readily accessible channels: networks of CSOs who are in the Steering Committee, CSOs identified by agencies involved in OGP and through the National Anti-Poverty Commission (NAPC), a policy oversight commission on anti-corruption that has institutionalized representation of 14 basic sectors. The PH-OGP Secretariat generally let the CSOs in the Steering Committee invite other CSOs that would participate. Nino Versoza of INCITEGov shared that INCITEGov invited other groups from varied political persuasions, including certain opposition groups, but these groups were not receptive⁵.

As a response to the recommendation from the previous IRM report, there were more intensified efforts to create awareness about OGP and to involve more stakeholders. The Philippine government organized good governance events, including a briefer on OGP⁶. Government media also published press releases on awards received from OGP for several open government initiatives in the country. A representation from the academe was also formalized in the Steering Committee.

Depth and Breadth of Consultation

As was the case in previous action plan cycles, though more spaces were made available, the breadth of participation was by and large constrained to the immediate networks of those already involved in PH-OGP: CSOs, government and the private sector in the Steering











Committee. Additionally, while inputs were generated from the participants of the various good governance fora organized and through online consultations, the filtering framework limited the influence of these open mechanisms on the final version of the action plan.

During the consultation phase, several national, regional and provincial fora took place to serve multiple purposes: awareness-raising on OGP, generation of feedback on the commitments/programs in the second action plan and governance in general, and consultation for the next action plan. The DBM organized the Good Governance Dialogues between September–November 2014 in Cagayan de Oro, Baguio, Cebu, Davao, and the National Capital Region (NCR), with a total of 1,214 participants from national and local government, civil society, media, academe, basic sectors, and development partners. There were also 10 CSO Consultations reported in the PH-OGP Self-Assessment Report conducted between March–July 2015. Consultations also took place online through e-mail and social media, where inputs to the OGP action plan were solicited, though only two comments were generated.

Though the consultation in the third action plan has broadened, the number of CSOs engaged in OGP is still limited and narrow, especially given the large universe of civil society organizations in the Philippines. There are 101,163 ‘non-stock, non-profit’ organizations registered in the Security and Exchange Commission (SEC) as of 2009⁷. This includes non-government organizations and civil society organizations, but may not yet include all people’s organizations that run to hundreds of thousands. Though the organizations involved in governance from this community only represent a certain percentage (there is no exact figure), given this size of broadest potential target for OGP, it is clear that there is still more room to broaden CSO participation in PH-OGP consultations to go beyond the “usual suspects”.

The IRM researcher found that the spaces made available all over the country, as well as the information dissemination efforts, were sufficiently broad to reach those that would be interested in OGP. A variety of factors governed participation in consultations, however, including who is extending the invitation and what the event is for, or whether it is relevant to a wider variety of actors in

Table 2.3 | Previous IRM Report Key Recommendations

RECOMMENDATION 1	RECOMMENDATION 2	RECOMMENDATION 3	RECOMMENDATION 4	RECOMMENDATION 5
Engage Senate and House of Representative committees to promote awareness of their role in enacting legislative commitments and ensure funding to support institutionalizing OGP commitments.	Involve key bureaucratic stakeholders, beyond the current members of the OGP Secretariat in creating and implementing commitments to ensure continuation of the OGP process beyond the May 2016 national elections.	Organize a regular (not ad-hoc) secretariat for the Philippine OGP Steering Committee. This should include representatives from the major implementing agencies, which will provide more opportunities for representation by other CSOs.	Beyond the administrative reforms institutionalized by the executive brand, include the Congress as a major stakeholder in pushing legislation to ensure formal and institutionalized framework in law for the implementation of OGP commitments across political administrations	Review and recommit to improve the Philippines performance vis-a-vis the eligibility criteria of the OGP - notably disclosure of asset records across all branches of the government and enact legislation to implement the constitutional guarantees of the citizens right to access to information.
Addressed? 	Addressed? 	Addressed? 	Addressed? 	Addressed? 
Integrated into next action plan? 	Integrated into next action plan? 	Integrated into next action plan? 	Integrated into next action plan? 	Integrated into next action plan? 

governance and politics. OGP is closely identified with a certain group of reformers inside the Aquino government and the relevance of open government to everyday concerns of people and CSOs is not yet well captured. Czarina Medina of ULAP admits that public awareness on OGP is still low because “OGP is not an independent brand”⁸. This is largely because most of the commitments are existing GGACC programs⁹. She said the stakeholders still appreciate the commitments in the OGP action plan according to the program implemented by agencies¹⁰.

By and large, the action plan identified commitments that were considered by the members of the Steering Committee and relevant agencies in consideration of the

inputs generated through open consultations that the PH-OGP Secretariat routed. As mentioned above, the 2016 election was a major consideration in crafting the third action plan. Hence, as shared by the former PH-OGP Point-of-Contact, the Steering Committee agreed to limit the commitments to those that were already ongoing government programs. This is to avoid complicating implementation commitments during the transition period¹¹. As a result some suggested commitments from the members of the Steering Committee (eg. disaster management from INCITEGov)¹² were not included.

2.2 ONGOING MULTI-STAKEHOLDER FORUM

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

A multi-stakeholder Steering Committee comprised of representatives from government, civil society, business groups and development partners began in 2012 to serve as a venue for the setting of direction, programs and activities of PH-OGP. The PH-OGP Steering Committee meets every quarter serving as the venue for updating, troubleshooting, and resolving all pertinent matters concerning OGP in the country.

From June 2015 to May 2016, there have been eight Steering Committee meetings, all of which were properly documented. Minutes of the meeting containing highlights and business arising were prepared and circulated to members for comments.

There were also quarterly multi-stakeholder assessment workshops that involved a wider set of organizations, where the government provided updates and solicited feedback on the progress of the action plan. Co-organized by CSO Steering Committee members, participation in these workshops was by invitation-only, targeting mainly partners and networks of Steering Committee members. These meetings and workshops were properly documented with the documentation reports made available online¹³.

Participation in the assessment workshops would be inform to consult, using the IAP2 spectrum. Participants presented the status of commitments during meetings and consultations. They identified areas of concern, which the Secretariat route to the Steering Committee for necessary interventions. Some agencies responsible for implementing OGP Commitments were also invited to these meetings upon the request of any Steering Committee member¹⁴.

Meanwhile, for CSOs and business groups in the Steering Committee, the level of participation could be labeled as empowering because the members are commitment

holders too. Aside from being co-proponents of the commitment, non-government members are also responsible for specific deliverables in the commitment. This is viewed as potentially transformative in the way government has perceived and engaged CSOs. While there are still members of the Steering Committee who think that the decision-making was constrained by GGACC programs¹⁵, the PH-OGP Secretariat believes there is now more openness and flexibility as evidenced by the inclusion of specific commitments that were proposed by stakeholders outside the GGACC.

2.3 SELF-ASSESSMENT

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

The Mid-Term Self Assessment Report for the Philippines national action plan 2015-2017 was released for public comment on 13 September 2016 through email, social media (OGP Facebook page) and the government website¹⁶. Comments from the public and recipients of the email blast were generated from 13 to 27 September (two weeks). Ten comments came in through email, mostly from Steering Committee members.¹⁷ These were considered in revising the Self Assessment Report, which was published on 30 September 2016¹⁸.

The PH-OGP Secretariat prepared the Self-Assessment Report. It covered consultation efforts during action plan development and implementation, as well as a peer-learning event. It also provided Pprogress updates for each of the 13 commitments. It gave general updates on OGP status in the Philippines and on some of the commitments given the change in administration. The report also included a list of meetings and events, including the details and references to commitment progress¹⁹.

The challenges and constraints the report identified include the political transition, the quality of inputs from the consultations and how to further broaden public reach (since uptake on social media platforms had been weak).

The report ends with lessons learned and next steps, which included the preparation for the next action plan under the new administration.

2.4 FOLLOW-UP ON PREVIOUS IRM RECOMMENDATIONS

Three of the recommendations pertain to access to information agenda, and two suggest the need to engage Congress in order to secure Congress' support and participation in the commitment. As stated in the Self-Assessment Report, Congress was not engaged in the development of the third action plan, but the Steering Committee decided to invite Congress to be part of the Steering Committee. A letter of invitation, signed by DBM Secretary Benjamin Diokno, was sent to HoR and Senate in September 2016.

Two of the recommendations have been addressed. In response to Recommendation 2, middle managers and junior staff had been tapped for the monitoring of the commitments, in quarterly assessment workshops and in major events like regional and national summits. Their participation, however, can still be improved in terms of substance and direction-setting, and more staff-level

government officials involved in the implementation of the programs/commitments could be engaged. In response to Recommendation 3, the PH-OGP Secretariat now has a permanent bureau.

Regarding Recommendation 5, other agencies have made efforts (such as the development of an IT-based system for the filing and disclosure of Statements of Assets, Liabilities, and Net Worth (SALN) of government employees by the Ombudsman) noted in the Self-Assessment Report. However, those efforts were not in direct response to the IRM report recommendation.

It was shared in confidence that no Steering Committee Meeting formally tabled or resolved the IRM Report containing these recommendations, though members were made aware of the report and were at liberty to recommend steps to address the recommendations. Meanwhile, according to the PH-OGP Secretariat, the findings of the report have been rerouted to the implementing agencies and members of the Steering Committee. The IRM findings form part of the discussions and presentations in Steering Committee meetings and OGP events.

¹ Lim, Patrick, former Point-of-Contact, Department of Budget and Management (Currently with InciteGov). Interview on 24 October 2016 in Quezon City.

² Ibid.

³ Verzosa, Angelito Niño, International Center for Innovation, Transformation and Excellence in Governance (INCITEGov). Interview on 21 October 2016 in Pasig City.

⁴ Fabian, Mariane, Department of Budget and Management (DBM). Interview on 10 October 2016 at DBM Office, Manila.

⁵ Verzosa, Angelito Niño. Ibid.

⁶ The PH-OGP Self-Assessment Reports noted 17 events (dialogues, consultations, others) held in developing the third national action plan.

⁷ Civil Society Research Institute. (2011). Civil society organizations in the Philippines: A mapping and strategic assessment. Civil Society Research Institute. Quezon City. Page 10.

⁸ Medina-Duce, Czarina, Executive Director, Union of Local Authorities of the Philippines (ULAP). Interview on 21 October 2016 at ULAP Office, Mandaluyong.

⁹ Also tackled in Aceron, Joy, Arjan Aguirre, and Jany Crismo. "Opening Government? The Case of the Philippines in the Open Government Partnership." Global Integrity & Transparency and Accountability Initiative: January 2016.

¹⁰ Ibid.

¹¹ Lim, Patrick. Ibid.

¹² Verzosa, Angelito Niño. Ibid.

¹³ See here: http://www.gov.ph/governance/?post_type=resources&p=4604

¹⁴ Validated in various interviews with government officials responsible for certain commitments.

¹⁵ Medina-Duce, Czarina. Ibid.; Magno, Francisco Executive Director and Jason Ian Helcita, Jesse Robredo Institute of Governance (JRIG)-De la Salle University (DLSU), Interview on 7 November 2016 at DLSU Campus, Manila; Verzosa, Angelito Niño. Ibid.

¹⁶ http://www.gov.ph/governance/?post_type=resources&p=4646

¹⁷ Fabian, Mariane. Ibid.

¹⁸ http://www.gov.ph/governance/?post_type=resources&p=4653

¹⁹ The following link to resources is cited in the report. <http://www.gov.ph/governance/resources>

III | COMMITMENTS

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

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

WHAT MAKES A GOOD COMMITMENT?

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

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

- **Specificity:** The IRM researcher first assesses the level of specificity and measurability with which each commitment or action was framed. The options are:
 - High (Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective)
 - Medium (Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective)
 - Low (Commitment language describes activity that can be construed as verifiable but requires
 - **Relevance:** The IRM researcher evaluated each commitment for its relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance of the commitment to OGP values are:
 - Access to Information: Will government disclose more information or improve quality of the information disclosed to the public?
 - Civic Participation: Will government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - Public Accountability: Will government create or improve opportunities to hold officials answerable to their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?¹
 - **Potential impact:** The IRM is tasked with assessing the potential impact of the commitment, if completed. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan and;
 - Assesses the degree to which the commitment, if implemented, would impact performance and tackle the problem.
 - Starred commitments are considered exemplary
- some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be)
- None (Commitment language contains no measurable activity, deliverables or milestones)

OGP commitments. In order to receive a star, a commitment must meet several criteria:

- o It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have “medium” or “high” specificity.
- o 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.
- o The commitment would have a “transformative” potential impact if completely implemented.²
- o Finally, the commitment must see significant progress during the action plan implementation period, receiving an assessment of “substantial” or “complete” implementation.

Based on these criteria, the Philippines’s action plan contained no starred commitments.

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 the Philippines and all OGP-participating countries, see the OGP Explorer³.

GENERAL OVERVIEW OF THE COMMITMENTS

The commitments in the third national action plan of the Philippines build on the gains of the second national action plan. Nine of the commitments are continuing, while four are new. Three of the new commitments (a feedback mechanism called the Anti-Red Tape Act-Report Card Survey program, a local government competitiveness index, and community participation in local development planning through the KALAHI-National Community Driven Development Program) are geared towards contributing to improved public services, while the Integrity Initiative aimed to contribute to improving corporate accountability.

In general, the level of completion is substantial with only two commitments with limited progress so far.

Themes

The Philippine OGP organizes the third national action plan according to the five OGP Challenges.

There are commitments that increase public integrity by enhancing transparency. These include the following commitments:

- Commitment 1: Law on access to information
- Commitment 2: Transparency of local governments plans and budgets
- Commitment 3: Open Data
- Commitment 4: Extractive Industries’ Transparency

Similarly, PH-OGP expects to enhance public integrity by expanding spaces for citizen engagement through the following commitments:

- Commitment 5: CSO engagement in public audit
- Commitment 6: CSO participation in local poverty reduction budget planning
- Commitment 12: Public-private sector dialogue on Inclusive Growth

Five commitments aim to contribute to improving public services, three of which are new commitments and two are continuing:

- Commitment 7: Community participation in local development planning
- Commitment 8: Feedback mechanism to improve

public service delivery

- Commitment 9: Assessing local governments' performance
- Commitment 10: Improve the ease of doing business
- Commitment 11: Local government competitiveness

Finally, one commitment aims to increase corporate accountability: the Integrity Initiative (Commitment 13).

¹ Link to Procedures Manual & Articles of Governance explaining OGP value relevance

² The International Experts Panel changed this criterion in 2015. For more information visit: <http://www.opengovpartnership.org/node/5919>

³ bit.ly/1KE2WII

1 | LAW ON ACCESS TO INFORMATION

Commitment Text:

The main objective is to pass an access to information law. Passage of the current Freedom of Information bill will mandate the disclosure of government information to the general public. The Freedom of Information (FOI) bill is crucial to institutionalize transparency since it will mandate the disclosure of public documents, as well as the procedures for accessing these documents. Passage of the FOI bill will ensure that government efforts on transparency become the norm and can make government more open as disclosure of public data will be institutionalized.

Milestones:

Organize, through Philippine OGP, Roundtable Discussions/Workshops on the substantive provisions of the FOI bill with pilot agencies as part of mainstreaming of FOI and confidence building relating thereto preparatory to the implementation of the FOI Act by 2015.

Responsible institution:

Presidential Communications Development and Strategic Planning Office (access to information)

Supporting institution(s):

Congress, Presidential Legislative Liaison Office; Right to Know, Right Now Coalition

Start Date: 1 January, 2015

End Date: 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
1. Overall		X			X					X			No		X		

CONTEXT AND OBJECTIVES

Citizen access to and use of quality and relevant information remain a challenge in the Philippines¹ despite transparency and access to information being part of priority plans and programs of recent governments as shown in past development plans. A Freedom of Information (Fol) was one of the campaign promises of President Aquino, but its passage was

stalled, mainly due to opposition in Congress and vague support from the President himself. This commitment is a pre-existing commitment carried over from the first and second OGP action plans. An access to information law is a pro-active measure that enforces the obligation of the government to make useful information accessible by setting a standard process and providing measures for sanction. This is in line with the OGP value Access to Information and the OGP Grand Challenge Increasing Public Integrity. While

the objective set was to pass a law, which could have made this commitment transformative, the deliverable identified was the convening of roundtable discussions/ workshops, which would not have been enough to pass a law. The vagueness in the commitment is likely because PH-OGP, which is primarily an executive branch initiative, cannot commit an output from a highly unpredictable legislative process. Roundtable discussions on substantive issues with the right policy actors would have served as consensus-building processes to move the access to information agenda forward, yet it would be one minor step towards the passage of a law that can improve citizen access to and use of quality and relevant information. Given the limit of the deliverable stated, therefore, the potential impact of this commitment is minor.

COMPLETION

The level of completion for this commitment is limited for the duration covered by this report (June 2015 to May 2016). No access to information law has been passed in the 16th Congress. This is despite the efforts from the Executive, mainly through DBM and the Presidential Communications Development and Strategic Planning Office (PCDSP) to push for the Freedom of Information law, such as the inclusion of the Freedom of Information (FOI) bill in the Priority Legislative Agenda of the president and the Budget Message for 2016. The FOI Bill passed second reading in the Senate, but it was not scheduled for plenary deliberation before 16th Congress closed. Furthermore, the IRM researcher found no publicly available evidence that the specific deliverable set in the action plan (conduct of roundtable discussions/ workshops) took place during the first year of implementation.

Updates on the deliberation of the FOI Bill was discussed in the OGP-PH Steering Committee, though the committee itself did not have clear impact on the legislative process. In fact, in light of this limitation the Steering Committee has agreed to invite representatives from the Legislature to become members of the Committee with the hope that their membership would generate needed support for commitments requiring the passage of laws. On 20 August 2015, the Right to Know Right Now (RKRN) Coalition announced that it withdrew its membership from the OGP-PH Steering Committee “putting the

blame squarely on President Aquino (and the leadership of the House of Representatives)...for not mustering the political will to honor his campaign pact with the people to assure the passage of FOI”². This is a significant back-step in the intent of the PH-OGP to support further constituency- and consensus-building on the access to information agenda.

EARLY RESULTS (IF ANY)

Several versions of the FOI Bill are filed in the 17th Congress. At the time of writing in November-December 2016, the Senate passed a Committee Report in preparation for the plenary deliberation. A Committee Report that consolidates the different versions this early is a major step forward since the FOI was stalled at the committee level in the past. The new administration of Rodrigo Duterte, in fulfillment of a campaign promise, passed Executive Order No. 02, s. 2016 on 24 July 2016 providing guidelines for the public’s access to information in the executive branch. As of December 2016 the Presidential Communications Office (PCO) is currently drafting the list of exemptions as well as a Freedom of Information Manual on the FOI EO, in collaboration with the RKRN Coalition. More information on this will be provided in the end-of-term report. To support this, the Office of the President has released the Inventory of Exceptions to the right to access of information signed by the Executive Secretary on 24 November 2016.

As the lead implementing agency for the FOI program, the Presidential Communications Operations Office (PCOO) published two manuals for FOI (the Model Agency FOI Manual and the Model People’s FOI Manual) to guide agencies and citizens in their FOI requests. Government agencies under the Executive Branch were also tasked to submit their own manuals as well to incorporate their internal information processes. As of 28 March 2017, 174 agencies have submitted their manuals.

Moreover, on 25 November 2016, the PCOO launched a central platform for accessing government information via www.foi.gov.ph. It is a portal for citizens to request information from select pilot government agencies. As of 28 March 2017, 64 government agencies have already joined the portal. PCOO aims to have all agencies onboard under the Executive Branch by end of 2017.

NEXT STEPS

An access to information legislation is a cornerstone of the open government agenda. While an executive order is a good forward step, it is not permanent and remains limited covering the executive only with no sufficient check and balance mechanism. The IRM Researcher and some of the stakeholders interviewed³ recommend that this commitment be included in the next Action Plan. The deliverables should pertain to key steps in the legislative process that those in the PH-OGP can commit to deliver. An example would be inclusion of the FOI Bill in the priority legislative agenda agreed upon by the legislative and executive branches. The implementation of the Executive Order on the FOI may also be included in the next Action Plan with deliverables that put to test the usefulness of the EO in ensuring access and use to quality and relevant information.

¹ As affirmed by various informants for this report.

² Right to Know Right Now. "The FOI Bill is Dead." Statement released on 20 August 2015.

³ Focus Group Discussion, Extractive Industries Transparency Initiative (EITI) Team - Department of Finance. Conducted on 3 November 2016 at EITI-DoF Office, Pasay City; Manza, Michelle, Open Data - Department of Information and Communications Technology (DICT), Interview on 4 November 2016 at DICT Office, Makati City; Roxanne Lu, Director-Programs and Projects Unit and Maane Cauton, Makati Business Club (MBC) (MBC). Interview on 12 October 2016 at MBC Office.

2 | TRANSPARENT LOCAL GOVERNMENT PLANS AND BUDGETS

Commitment Text:

- Uninformed local government constituents on how the local budget is managed, disbursed and utilized
- There is a need to create ways on how to effectively and efficiently utilize the uploaded data in the FDP Portal.

Main objective is to Increase public access to financial documents/transactions of local government units to ensure transparency and accountability among LGUs. This commitment is relevant in promoting transparency as it provides public access to financial documents of the local governments for more intensive data processing of the LGU financial reports. The intended result is the culture of transparency among local government units built by ensuring regular public disclosure of key financial documents. Public access to this information is a pre-requisite to effective citizen engagement.

Responsible institution:

Department of the Interior and Local Government (DILG)

Supporting institution(s):

Union of Local Authorities of the Philippines (ULAP). Budget Advocacy Group (BAG)

Start Date: 1 January, 2015

End Date: 31 December 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
2. Overall				X	X						X		Yes			X	
2.1. Increase LGU compliance with FDP				X	X						X		Yes				X
2.2. Local government documents in open format				X	X					X			Yes		X		
2.3. CSO use of published data				X	X						X		No		X		

CONTEXT AND OBJECTIVES

Transparency in budget management, disbursement, and use can build trust between citizens and their government, encourages good performance, and deters corruption. Yet implementation of transparent disclosure policies at the local government level remains varied in the Philippines. There are a few local governments serving as innovative models of open government, while the rest continue the old ways of closed, unresponsive governance. As noted in the IRM End of Term report for the second OGP action plan, the average compliance rate for the Full Disclosure Policy is 79.1 percent for local government units for the whole of 2015¹. CSOs found that not all local governments comply with the FDP, though they note that some local governments lack websites to display the budgetary data. While a centralized disclosure portal exists², data displayed is either not updated in real time or is displayed on a bulletin board in the local government office rather than online³.

This commitment is carried forward from the previous two OGP action plans, which sought to increase compliance rates for disclosure of budgets by local government units (LGUs). The commitment aims to encourage more local government units to be transparent and open through the Full Disclosure Policy (FDP), a policy promulgated by the Department of Interior and Local Government (DILG) that requires provinces, cities, and municipalities to fully disclose particular financial transactions of the LGU to keep their constituents informed of how the LGU budget is managed, disbursed and used⁴. One key incentive for this commitment is that LGUs that achieve full FDP compliance are also eligible for additional loans from the national government, performance grants, and good governance seals.

The overall potential impact for this commitment is moderate. While efforts to increase compliance with the FDP do not represent a 'stretch' in existing government practice, the deliverables under this commitment include an increase in compliance of LGUs to FDP, which entailed monitoring and advocacy activities; and facilitation of citizen use of the uploaded data in the

FDP portal in at least five regions to produce reports or data visualization. The targets are measurable and relevant in making LGUs transparent, though it does not include deliverables that will ensure sustainability in transparent practices of LGUs and sustainable citizen use of FDP data.

If useful financial data of local government are made available and are accessed by citizens to check on their local governments' performance and to hold their local public officials to account, this agenda is a major step forward in enhancing public integrity and stimulating effective and efficient use of public resources in local governance that could lead to improved public services delivered to the people.

COMPLETION

Overall, this commitment has seen considerable progress in terms of bringing more LGUs into compliance with FDP, though additional work remains on making the FDP data more useful and useable for citizens.

The deliverable of the government, to increase the number of LGUs fully complying with FDP in 2015 and 2016, has been achieved. DILG and ULAP have committed to deliver 1193 Provinces, Cities and Municipalities fully complying with the FDP both in 2015 and 2016. They went beyond the targets. For 2015, 1,259 PCMs are fully complying with FDP. For the 2016 round of assessment, 1,216 PCMs are fully complying with the FDP as of Q2 2016. This is cited in the Self-Assessment Report and validated during interviews with government stakeholders.

The Full Disclosure Policy Portal <http://fdpp.blgs.gov.ph/> launched in November 2012 remains updated. To encourage LGUs to comply with FDP, ULAP has undertaken advocacy events, such as the "# ParaSaBayan: Pagtataguyod ng Makabuluhang Adhikain ng Pamamahalang Lokal" (#ForAll: Promoting Meaningful Goals of Local Government) in 2015⁵. These events convened LGU officials and CSOs for the promotion of various local governance programs. Local governments stated that the incentives set for compliance to FDP were significant factors that contributed to the achievement of this deliverable⁶.

Meanwhile, efforts of the Budget Advocacy Group (BAG) –another CSO network represented in the Steering Committee –to use uploaded data in the FDP portal to produce reports and data visualization are still ongoing. This is a crucial component to the commitment because this ensures data made available are used and accessed by citizens. The need to raise funds/make projects in order to deliver the commitment was a factor that caused the delays⁷.

At the time of writing the mid-term report (December 2016), INCITEGov, which represents BAG in this commitment, had yet to provide the sample of reports or data visualization using the uploaded data in the FDP portal. Therefore this milestone has achieved only limited completion.

EARLY RESULTS (IF ANY)

No known study has been done on the impact of FDP as of the writing of this report⁸. The increasing number of LGUs that are FDP-compliant is an indication that the practice of transparency is being sustained and becoming more common across LGUs all over the Philippines. Given the considerable information

being disclosed through FDP⁹, this is a huge positive step towards transparency. Whether the information disclosed through FDP is being used remains a challenge.

NEXT STEPS

BAG should pursue delivering data visualization outputs during the remaining period of the action plan. That serves as a pilot for future efforts to ensure sustained access and use by citizens of the FDP data.

Given the change in administration, it is crucial to maintain this as an OGP commitment with a focus on ensuring the incentives provided to encourage compliance to FDP are maintained. It was suggested during the focus group discussion (FGD) with DILG officials for this study¹⁰ that provision on sanction in the guidelines be studied. If FDP is carried in the next action plan, the focus should be on finding sustainable ways for citizen use of the FDP data that can start by improving awareness of local/grassroots ownership of this program. The next commitment should also ensure sustainability of gains – how to normalize transparency and citizen engagement.

¹ Philippines Self-Assessment Report: national action plan 2013-2015: Year 1 Report, (October 2015), www.gov.ph/governance/wp-content/uploads/2015/11/PHL-OGP-2nd-plan_assessment-report_as-of-October-2015_v2.pdf. http://www.gov.ph/governance/wp-content/uploads/2015/11/PHL-OGP-2nd-plan_assessment-report_as-of-October-2015_v2.pdf.

² Full Disclosure Policy Portal. Available at: <http://fdpp.blgs.gov.ph>

³ CSO Roundtable hosted by Asian Development Bank, 20-21 July 2016.

⁴ Full Disclosure Policy Portal, FAQs. Available at: <http://fdpp.blgs.gov.ph/contents/load/faq>

⁵ "CV guvs, league heads gather to push local government code" Sunstar CEBU, 12 December 2015. Available at: <http://www.sunstar.com.ph/cebu/local-news/2015/12/12/cv-guvs-league-heads-gather-push-local-government-code-446710>

⁶ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

⁷ Verzosa, Angelito Niño, International Center for Innovation, Transformation and Excellence in Governance (INCITEGov). Interview on 21 October 2016 in Pasig City.

⁸ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

⁹ Information made publicly available through FDP are: 20% component of the internal revenue allotment utilization; Abstract of bids as calculated; Annual budget report; Annual Gender and Development Accomplishment Report (AGDAR); Annual Procurement Plan or Procurement List (APP); Bid results on civil works, goods and services, and consulting services (BRCWGS); Items to Bid (IB); LOCAL DISASTER RISK REDUCTION AND MANAGEMENT FUND UTILIZATION (LDRRMF) (LDRRMF); MANPOWER COMPLEMENT (MANCOM); QUARTERLY STATEMENT OF CASH FLOW (QSCF); REPORT OF SPECIAL EDUCATION FUND UTILIZATION (RSEFU); STATEMENT OF DEBT SERVICE (SDS); STATEMENT OF RECEIPTS AND EXPENDITURES (SRE); SUPPLEMENTAL PROCUREMENT PLAN (SPP); TRUST FUND UTILIZATION (PDAF); UNLIQUIDATED CASH ADVANCES (UCA). (Full Disclosure Policy Portal, FAQs. Available at: <http://fdpp.blgs.gov.ph/contents/load/faq>)

¹⁰ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

3 | OPEN DATA

Commitment Text:

The Open Data Portal (www.data.gov.ph) was launched in January 2014. Currently, the portal is host to more than 1,237 datasets, 80% of which are in open format. Main objective is to democratize access to government data through proactive disclosure in open formats and to empower citizens on how to use government data for practical innovation. Launched in January 16 2014 during the Good Governance Summit, Open Data Philippines is the Philippine Government's program to proactively release public sector datasets and generate an ecosystem for its use and reuse by the public. Open Data Philippines aims to institutionalize good governance by making government data available to the public. This involves collating datasets from different government agencies, cleaning them for better understandability, and uploading them to a website in open formats. The idea is that once all datasets become available, citizens will be able to verify for themselves key government transactions and track the movement of crucial resources. The program's innovative take on the public's right to information is the supply of datasets in open and machine-readable formats and the development of data.gov.ph, the centralized repository for these datasets. The program is anchored on the following key result areas: access to public sector information, data-driven governance, public engagement, and practical innovation. Open Data Philippines is not just a website, but a movement and a big part of the movement is citizen engagement. ODP regularly conducts capacity-building activities such as trainings, boot camps, consultations and developer competitions or hackathons for government agencies, civil society, academe and the private sector.

Responsible institution:

Office of the Presidential Spokesperson (OPS) | Department of Budget and Management (DBM) | Presidential Communications Development and Strategic Planning Office (PCDSPO)

Supporting institution(s):

World Bank, Step Up Consulting, World Wide Web Foundation, Open Data Labs Jakarta, Southeast Asia Technology and Transparency Initiative, International Center for Innovation, Transformation, and Excellence in Governance (INCITEGov)

Start Date: 1 January, 2015

End Date: 1 January, 2018

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
3. Overall			X		X						X		Yes			X	
3.1. Open Data guidelines			X		X					X			Yes				X
3.2. Local government documents in open format				X						X			Yes			X	
3.3. Showcase open data		X			X						X		Yes	X			
3.4. 6000 files in open data portal				X	X					X			Yes			X	
3.5. Open data teams in 5 government agencies				X	X						X		Yes	X			

CONTEXT AND OBJECTIVES

Proactive disclosure and release of public data is not a common practice in Philippine bureaucracy. In an interview with the IRM researcher, Michelle Manza of the Open Data Team shares that some agencies provide data with a fee because it is part of their business model. "Agencies think it is their data and would want to keep it," Michelle Manza explains¹. This is a hurdle to promoting transparency and enhancing public accountability, which requires information on performance and practices of government offices and officials.

The commitment aims to proactively release government data in open formats (machine-readable, reusable format) and generate an ecosystem for its use and reuse by the public through the program Open

Data Philippines (ODP). Through the portal data.gov.ph, ODP makes national government data "searchable, accessible, and useful" by consolidating datasets of different government agencies, "allowing users to find specific information from a rich and continuously growing collection of public datasets"². The commitment contributes to enhancing public integrity as it responds to access to information value of OGP.

To support the proactive release of government data through Open Data Philippines, the commitment aims to pass policies that institutionalize Open Data Philippines and find a permanent institutional house for it. This is in light of the upcoming 2016 elections, which may endanger the sustainability of the program. The commitment also targets a number of data files published via data.gov.ph.

The specificity of this commitment is Medium. The deliverables are measurable and verifiable but are not sufficient in achieving the objective of the commitment, which includes “use and reuse” of data from ODP portal. The deliverables that are meant to achieve the institutionalization of the program, while important, are but tangential to the objective of this commitment, which is ultimately about data disclosure and use.

This commitment is a pre-existing commitment. In previous commitments, the portal was launched and initial data sets were released³. The achievement of the objective of this commitment under the current action plan will push this agenda forward in improving public integrity, transparency and “arming citizens”⁴ to more effectively exact accountability through information, particularly by ensuring its continuity. However, this depends on whether the information disclosed is useful and relevant to citizens and whether citizens actually use the information to address issues affecting them. Therefore, the IRM researcher found this commitment to have moderate potential impact.

COMPLETION

Two of the deliverables have been accomplished, while one is ongoing. Joint Memorandum Circular (JMC) 2014-01⁵ to institutionalize Open Data Task Force, and JMC 2015-01⁶ to request national government agencies to adopt Open Data, were issued in 2014 and 2015 respectively.

Discussions are now ongoing to identify a more permanent government owner of the initiative. A new administrative order reconstituting the inter-agency task force on Open Data is being formulated⁷.

The Open Data Task Force Secretariat is now tentatively lodged under the newly created Department of Information and Communications Technology (DICT). Under the new administration, the plan is to integrate all online efforts to one, harmonizing it to the national government portal (gov.ph)⁸. Open data is seen by the new administration as a good complement to the new EO on FOI, with FOI being demand-driven and Open Data as proactive disclosure⁹.

As of Q2 2016, 3,126 data files (819 data sets¹⁰) are published in the ODP portal. The ODTF and third

party outfits also created information tools, such as 22 dashboards and visualizations, internally. Other activities conducted in 2015 and 2016 include: Capacity-building on Data Management and Story-Telling, ongoing conduct of Open Contracting Data Standard Assessment, participation in the Asian Open Data Alliance Open Data Masterclass and Boot Camp for DOJ. ODP also served as general steward in the development and launch of the International Open Data Charter. There are also agencies that have started forming their Open Data Teams.

Making agencies comply with the JMC to proactively release data has been a challenge. Thirty-six (36) agencies have already provided data to OPD, but after much prodding by DBM¹¹ and with the program already considered a priority program of the Aquino administration. Michella Manza explains this as part of old practices that are hard to break¹². There is a lack of public demand and the absence of incentives or disincentives for agencies to post data online.

EARLY RESULTS (IF ANY)

The decision of the government to integrate all online efforts to form an online one-stop-shop for all government data indicates a stronger push from the bureaucracy to make data available for public use and to ease public access to information. The idea of Open Data complementing FOI EO is also indicative of this stronger constituency for access to information inside the government. However, in terms of changing mindsets within the bureaucracy regarding data use, there is a long way to go. The lack of uptake from citizens needs to be seriously reflected on too. One possible path forward is to create incentives and disincentives for proactive release of reusable data and citizen use. How the data disclosed will be useful in solving everyday issues and problems confronting citizens is another next step to be addressed by the government.

NEXT STEPS

In light of the above discussion on early results, the IRM researcher recommends that this commitment be included in the next action plan, addressing specifically the incentive framework (a policy that will incentivize)

both for data release and data use. At present, according to Mushi Manza, Open Data is exploring inter-operability in the consolidation of data, i.e. the data to be shared would be those that are also being used/gathered/checked by the other agencies.¹³ This is promising in making Open Data relevant and useful to agencies. The key is to understand the need and situation of the agencies and work from there in building open data practices. It will also help if there are CSOs that will pressure agencies to improve their open data/access to information systems and practices.

¹ Manza, Michelle, Open Data - Department of Information and Communications Technology (DICT), Interview on 4 November 2016 at DICT Office, Makati City.

² Open Data Philippines, About. Available at: <http://data.gov.ph/about/>

³ IRM Staff. Independent Reporting Mechanism: The Philippines End-of-Term Report 2013-2015, (Open Government Partnership, 2016).

⁴ Manza, Michelle. Ibid.

⁵ DBM, JMC no. 20-1 Jan. 22. Available at: http://www.dbm.gov.ph/wp-content/uploads/Issuances/2014/Joint%20Memorandum%20Circular%20/JMC%20no.2014-1_Jan22.pdf

⁶ PCDSPO, Joint Memorandum Circular No. 2015-01, accessed on October 30, 2016, <http://pcdsp.gov.ph/downloads/JOINT-MEMORANDUM-CIRCULAR-OP-DBM-PCDSPO-NO.-2015-1-DATED-MAY-18-2015-GUIDELINES-FOR-THE-IMPLEMENTATION-OF-THE-OPEN-GOVERNMENT-DATA-GENERAL-PROVISION-IN-THE-2015-GENERAL-APPROPRIATIONS-ACT.pdf>

⁷ Manza, Michelle. Ibid

⁸ Manza, Michelle. Ibid

⁹ Philippines Self-Assessment Report: national action plan 2015-2017: Mid-Term Report, (September 2016); Manza, Michelle, Ibid.

¹⁰ Data sets are like folders containing data files. Manza, Michelle, Open Data - Department of Information and Communications Technology (DICT), Interview on 4 November 2016 at DICT Office, Makati City.

¹¹ Manza, Michelle. Ibid

¹² Manza, Michelle. Ibid

¹³ Manza, Michelle. Ibid

4 | EXTRACTIVE INDUSTRIES' TRANSPARENCY INITIATIVE

Commitment Text:

The 1st EITI Country Report was published in the EITI website (www.ph-eiti.org) and submitted to the EITI International Board in December 2014. Further, Executive Order No. 147 was signed in November 2013 creating the Philippine EITI. Preliminary discussions have also been made in Congress and Senate in 2014. Main Objective - Improved transparency and increased accountability in the extractive industry to improve governance of the extractive sector. Specifically, the 5 main objectives for EITI implementation in the Philippines are as follows:

- Show direct and indirect contribution of extractives to the economy (through EITI process)
- Improve public understanding of the management of natural resources and availability of data
- Strengthen national resource management / strengthen government systems
- Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders
- Strengthen business environment and increase investments.

The Extractive Industries Transparency Initiative (EITI) is a global Standard to promote open and accountable management of natural resources. It seeks to strengthen government and company systems, inform public debate, and enhance trust among stakeholders. A multi-stakeholder group composed of civil society, business, and government was formed to implement EITI in the Philippines. Through an annual report published by Ph-EITI, revenues collected by government and paid by companies are compared and reconciled to see if they tally. In the process, gaps are identified by the report, and recommendations are formulated by stakeholders to address such gaps. Beyond producing a report and promoting fiscal transparency, PH-EITI aims to improve governance of the extractive sector by making information accessible and enabling stakeholders to have an evidence-based approach to policymaking. The EITI promotes access to information, transparency and accountability in the extractive sector through disclosure and publication of payments made by mining, oil, gas and other extractive companies. The annual EITI report informs the public on how much the extractive industry contributes to the economy, and how the government spends such revenues for the welfare of citizens. EITI's multi-stakeholder approach also provides a platform for discussion of issues relevant to the governance of the extractive sector, thereby increasing civic participation. Aside from producing information on extractive sector revenues, EITI also promotes transparency across the extractive industry value chain, including information on the licensing process, social development programs at the local level, and processes involving Indigenous Peoples. EITI aims to ensure transparency across the extractive industry value chain and foster civil society's meaningful participation in the governance of natural resources. The disclosure of information through the EITI process enables the broader public to evaluate the extractive sector by providing a mechanism by which local communities are able to openly scrutinize the collection and spending of revenues collected by the government from the extraction of natural resources. EITI also enables civil society to assess gaps in existing government systems and provide data-driven recommendations to policymakers.

Responsible institution:

Department of Finance, Department of Budget and Management, Department of Environment and Natural Resources - Mines and Geosciences Bureau

Supporting institution(s):

Department of Energy, Department of the Interior and Local Government, Union of Local Authorities of the Philippines. Chamber of Mines of the Philippines, Petroleum Association of the Philippines, Bantay Kita

Start Date: 1 January, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
4. Overall			X		X	X					X		Yes			X	
4.1. Timely publication of EITI reports				X	X					X			Yes			X	
4.2. Validation process for EITI compliance				X	Unclear						X		Yes	X			
4.3. Policies to promote transparency in extractives			X		X	X				X			Yes		X		
4.4. CSO participation in EITI			X			X					X		Yes				X
4.5. CSO coalition on EITI			X			X					X		Yes				X
4.6. Use EITI data			X			X						X	Yes			X	

CONTEXT AND OBJECTIVES

The Philippines is rich with natural resources. There are many issues and challenges surrounding the extraction and use of these resources, such as corruption, conflict among stakeholders, revenue generation, protection of rights of the communities and sustainable development. In 2014, the extractive industries constituted .75 percent of the total GDP of the Philippines, while it contributes 4 percent to government revenue¹.

The objective of this commitment is to improve governance of the extractive sector by taking part in the Extractive Industries Transparency Initiative (EITI), a global standard for open and accountable management of natural resources that involves convening of a multi-stakeholder group (MSG) composed of civil society, business, and government and submission of annual

reports that account for the context and the revenue collection of the extractive industry in one country.² This is a pre-existing commitment. The Philippines has formally started taking part in EITI in 2013 through the passage of Executive Order 147. In the earlier action plan, the Philippines was also able to launch a website and start constituency building by convening events and gatherings³. The commitment supports access to information, civic participation, and indirectly public accountability that are OGP values.

To achieve the objective, the following are the targets that the Department of Finance (DoF) set out to achieve under this action plan: timely publication of second and third EITI reports, validation process completed for the Philippines to be declared an EITI-compliant country, adoption/amendment of policies and legislation to promote transparency in the extractive industries and increase in awareness and capacity-building of

stakeholders. Meanwhile, the following are the targets civil society commitment holder, Bantay Kita, have aimed to achieve: attendance of CSO representatives in all EITI activities, strong and accountable CSO coalition and conduct of local outreach activities, publication of EITI financial status and utilization of EITI data.

The specificity of the commitment is Medium. Some of the targets are not specific and measurable: how many policies and what kind of policies are targeted, how to determine increase in awareness and capacities of stakeholders, how to measure level of strength and accountability of the coalition and how many local outreach activities will be conducted.

If fully implemented, the commitment is a major step forward in addressing the challenges facing the extractive industries. There are other aspects of the problem, such as ensuring sustainable development and protection of rights of communities, that can be addressed more comprehensively through other frameworks.

COMPLETION

The level of completion of this commitment is substantial, though the major deliverable, successful completion of the validation process, remains incomplete. The commitment implementation is still on time, but the submission of the third EITI report is still pending, as of June 2016. According to the EITI team⁴, the setbacks in the report writing are partly because of the political transition and the delay in the release of external funding⁵.

The second PH-EITI Country Report was submitted to the International EITI Secretariat in December 2015 on time. Currently, PH-EITI is preparing to submit the third PH-EITI Country Report by December 2016, which is the set deadline. The EITI validation process depends on the submission of the third report.

Considerable reforms that promote transparency in the extractive industry have been adopted by key agencies like the Mines and Geosciences Bureau, Department of Budget and Management, National Commission on Indigenous Peoples, and the Bureau of Local Government Finance. There is the adoption of an online reporting tool on the status of compliance

to EITI standards for local government units (the Environment and Natural Resources Data Management Tool, or ENRDMT) to facilitate collection, reporting, and monitoring of data on local revenues from extractives. An online portal for government contracts relating to the extractives was also put up to promote contracts transparency. Several roadshows/outreach activities took place in July-August 2015 (and will this year covering all 71 LGUs that host extractive industries) which included track sessions for forum participants, as well as training workshops for local treasury officials on how to use the ENRDMT, and discussion among stakeholders on transparency and accountability issues surrounding the extractive sector. There have been 25 reported capacity-building activities from August 2015-June 2016.

Bantay Kita, a member of the EITI Multi-Stakeholder Group (MSG) and the CSO that acts as secretariat of CSOs in the EITI, has attended all PH-EITI MSG meeting and multi-stakeholder roadshows organized by the EITI Secretariat from 2015 until the second quarter of 2016. From August 2015 to June 2016, it has conducted one annual CSO conference and 25 outreach activities. It has also undergone an external audit, the result of which is that it has publicly disclosed its financial statements. It has published 15 reports (against the target of 20) analyzing EITI data from 2015 to the second quarter of 2016⁶.

EARLY RESULTS (IF ANY)

Through the OGP, the EITI is viewed as a good governance initiative as well⁷. The EITI Annual Progress Report, which accounts for compliance to EITI standards, a functioning and active Multi-Sectoral Group, and the active participation of CSOs are clear indications of an improved transparency and civic participation in the extractive industry. One of the remarkable accomplishments of Bantay Kita is its Open Data initiative that engages the communities/advocates directly matching the advocates' needed information to the information provided/secured and processed by Bantay Kita. This allows more effective engagement of advocates and communities using EITI data⁸.

In the EITI Global Conference in Lima, Peru in February 2016, the Philippines was conferred the EITI International Chairs Award for "impactful

implementation” of EITI. Then Secretary of Finance Cesar V. Purisima received the award on behalf of the country.

NEXT STEPS

The IRM Researcher recommends that this commitment be continued. EITI must clarify how it can best maximize the OGP platform to sharpen on the targets that it will enroll. It should be clear what the value-added will be of the targets enrolled through the OGP platform given the unique strengths of the OGP. The IRM Researcher recommends emphasis on the public use of data and institutionalization of the initiative. To date, there are two bills that are filed to institutionalize EITI. Even when the Philippines become EITI-compliant, monitoring would be key for maintenance and continued improvement.

¹ Philippine Extractive Industries Transparency Initiative Report, 2013.

² The Extractive Industries Transparency Initiative (EITI) is a global standard for improving transparency and accountability in the oil, gas and mining sectors. EITI implementation has two core components:

*Transparency: oil, gas and mining companies disclose information about their operations, including payments to the government, and the government discloses its receipts and other relevant information on the industry. The figures are reconciled by an Independent Administrator, and published annually alongside other information about the extractive industries in accordance with the EITI Standard.

*Accountability: a multi-stakeholder group (MSG) with representatives from government, companies and civil society is established to oversee the process and communicate the findings of the EITI reporting, and promote the integration of EITI into broader transparency efforts in the country.

The requirements for implementing countries are set out in the EITI Standard. Additional information is available via www.eiti.org.

The Philippines was admitted as a candidate country by the EITI International Board on May 22, 2013. Pursuant to the requirement of the 2013 EITI Standard, and after consultation with stakeholders, the Philippine MSG formulated the following objectives for EITI implementation that are linked to EITI principles and reflective of national priorities for the extractive industries:

1. Show direct and indirect contribution of extractives to the economy
2. Improve public understanding of the management of natural resources and public availability of data
3. Strengthen national resource management / strengthen government systems
4. Create opportunities for dialogue and constructive engagement in natural resource management in order to build trust and reduce conflict among stakeholders
5. Pursue and strengthen the extractive sector's contribution to sustainable development

The legal basis for EITI implementation in the country is found in Section 14 of Executive Order No. 79 (2012), which states the Philippines' commitment to participate in the EITI. Thereafter, Executive Order No. 147 (2013) was issued, formally creating the Philippine EITI.

³ IRM Staff. Independent Reporting Mechanism: The Philippines End-of-Term Report 2013-2015, (Open Government Partnership, 2016).

⁴ Focus Group Discussion, Extractive Industries Transparency Initiative (EITI) Team - Department of Finance. Conducted on 3 November 2016 at EITI-DoF Office, Pasay City.

⁵ Focus Group Discussion, Extractive Industries Transparency Initiative (EITI) Team. Ibid.

⁶ Pimentel, Tina and Marco Zaplan, Bantay Kita. Interview on 18 November 2016 at Bantay Kita Office, Quezon City.

⁷ Focus Group Discussion, Extractive Industries Transparency Initiative (EITI) Team - Department of Finance. Conducted on 3 November 2016 at EITI-DoF Office, Pasay City.

⁸ Pimentel, Tina and Marco Zaplan, Bantay Kita. Interview on 18 November 2016 at Bantay Kita Office, Quezon City.

5 | CSO ENGAGEMENT IN PUBLIC AUDIT

Commitment Text:

A weak public finance management system leads to the inefficient and ineffective use of public funds. This results to unresponsive government projects that constrain the achievement of national development goals and outcomes. The main objective of CPA is to strengthen and sustain the engagement of citizens and COA in participatory audits. The Phase II of the CPA program intends to scale-up the implementation of CPA nationwide. This will be done through the rollout of participatory audit of farm-to-market roads in all regions of the country and institutionalization of this process.

Relevance:

- *Transparency – by including citizens as part of the public audit process, COA systems and processes are made transparent by giving citizen partners the same access to documents as state auditors. Audit reports are also widely disseminated through the COA website (www.coa.gov.ph) and the i-kwenta website (www.i-kwenta.com).*
- *Accountability – Putting in place the CPA Operational Guidelines provides a clear accountability system for both COA and its citizen partners. As part of the horizontal accountability system, COA (and its citizen partners) can check abuses by other public institutions and branches of government, particularly in determining whether public funds have been efficiently allocated and properly expended.*
- *Participation – Under CPA, several avenues for citizen participation are introduced. Oftentimes, citizen partners have the ability to influence the tools used during data gathering activities. During the audit report writing, both COA and its citizen partners work on it together, thereby ensuring that the recommendations identified in the audit report include those of the citizens and state auditors.*
- *Technology and Innovation - The Public Information System ensures that feedback from the public is received by COA.*
- *Ambition - By institutionalizing CPA in COA, citizen voice in government oversight systems will be magnified. It is expected that government agencies will take heed and provide the appropriate responses to enhance their own systems and processes. Eventually, the desired outcome would be a better public finance management system that ensures the efficient allocation and expenditure of public funds based on projects that are responsive to the needs and priorities of the people.*

Responsible institution:

Commission on Audit

Supporting institution(s):

Audit clients, i.e. National, Local and Corporate government offices and Department of Budget and Management. Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP)

Start Date: 1 January, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
5. Overall			X				X				X		Yes			X	
5.1. Adopt CPA support policies			X								X		Yes			X	
5.2. 2 CPA activities 2015-2017		X			X			X			X		Yes				X
5.3. 5 CSO/private sector capacity building activities		X				X					X		Yes				X
5.4. 25 CSO citizen auditors			X			X					X		Yes				X

CONTEXT AND OBJECTIVES

Inefficient and unresponsive use of public resources as well as corruption is checked through public audit done by the Commission on Audit (COA). As the supreme auditing body, the COA is constitutionally mandated to “ensure accountability for public resources, promote transparency, and help improve government operations, in partnership with stakeholders, for the benefit of the Filipino people”¹. Yet, public auditing in the Philippines has been challenged by insufficient resources (about 7,000 state auditors to audit 61,000 government agencies)² and a lack of concrete support from the public that can provide ‘teeth’ to its audit findings and recommendations.

Citizen Participation Audit (CPA) aims to institutionalize citizen participation in public audit to support COA in promoting transparency and accountability in government. The CPA has been a commitment in the Philippine national action plan from the beginning and it has won the OGP Award. In the third action plan, the deliverables are intended to sustain and expand CPA.

The specificity of this commitment’s objective is medium. While the deliverables are measurable, the commitment language does not specify exactly which policies are intended to support CPA. In previous action plans, deliverables related to CPA included a COA memorandum circular regarding CPA operational guidelines and a resolution (COA Resolution 2014-002) creating the Project Management Unit. Additionally, in the previous action plan, a CPA handbook was developed. The other deliverables are similarly vague: there have been numerous CPA capacity-building activities and it is not clear which five would be accounted for under this OGP commitment. For the final deliverable, it is unclear whether the 25 citizen auditors target refers to individuals representing 25 different organizations or 25 individuals that are not necessarily representative of CSOs or 25 representatives of an unexact number of CSOs.

The clearest contribution of CPA to public audit is being a “force-multiplier”³. Citizens are “deputized” as public auditors enabling COA to cover for projects.

Since citizens are directly involved, the auditing looks beyond the technical specifications of the projects and also checks whether the projects are beneficial to citizens. Evidence proving the effectiveness of CPA in ensuring the enforcement of audit findings to hold power to account has yet to be clearly established. As COA shared, "...up to the year 2016, the COA was still at the "expansion of the pilot audits" phase. Thus, the COA does not as yet expect to attain the impact, or ultimate effect of the COA as a reform strategy for enhanced transparency and accountability..."⁴ There are, however, positive gains: "direct involvement of citizens in the public audit process made the said process transparent to the public; auditees whose projects have been audited using the CPA technique have been more receptive of audit recommendations, i.e., the implementation of COA recommendations were more immediate than those in the COA audits that did not use CPA."⁵ To ANSA-EAP, the opening up of agencies to audit, as well as the changes implemented by agencies based on audit findings, helps to prompt timely response from government.⁶

The prospect of sustainability and scaling up is being addressed with COA providing resources to cover direct costs of the COA activities, including resource requirements for capacity building and processing and analysis of results of audits. However, the funding for 'management fee' of conduit CSOs that provide COA with technical assistance continue to be donor-dependent.⁷

This is a continuing commitment from the first action plan. The earlier IRM and PH-OGP reports accounted for activities that substantially and clearly delivered gains, such as the setting up of a management unit in COA and mobilization of CSOs⁸, conduct of auditing and release of audit reports⁹. The potential impact of the deliverables under the third action plan for this commitment is rated as minor to "Moderate," because the deliverables are the same as in the past and it remains to be seen if sustainability, scale and effectiveness in holding power to account will be achieved and/or continued.

COMPLETION

The Self-Assessment Report states that this commitment's level of completion is substantial.

This is validated by the interviews that have been conducted. COA has undertaken numerous capacity-building activities on CPA. Ten CPA activities and six capacity building activities were conducted for civil society and the private sector as of August 2016. The capacity-building activities involved orientation on the basics of the CPA: rationale, process and tools as well as initial planning of activities¹⁰. Currently, 15 CPA reports on Water Sanitation and Hygiene, and Farm-to-Market Road projects are in the finalization stage. Two CPA reports (one on Tourism Roads Infrastructure Project (TRIP) and another one on Palawan Farm-to-Market Roads) have been completed and are awaiting clearance for online publication. Meanwhile, 29 CSOs have been trained and deployed as citizen auditors from June 2015 to August 2016. On efforts towards sustainability and scaling up, aside from the establishment of the COA Project Management Team that was accounted for in earlier IRM reports, the inclusion of the COA in the regular budget in the General Appropriations Act is a step towards sustainability. COA has also started scaling up COA by covering more government offices in piloting an audit focus (e.g. CPA of solid waste management covering all the cities and municipality of Metro Manila).¹¹

However, as stated above, there is room for improvement in making the deliverables specific given the many similar activities being undertaken by COA and ANSA-EAP. The policy being referred to in the third action plan under this commitment is also unclear – if this is on top of the already-existing policies. What is emerging as a plan is to legislate the institutionalization of the CPA¹², which would be a significant step in institutionalizing and scaling up citizen participation in public audit.

EARLY RESULTS (IF ANY)

The CPA has so far demonstrated how citizens can contribute to effective public audit ensuring projects and services are implemented/delivered according to standards. As stated earlier, it has become a force multiplier for COA. Generally, according to a representative of ANSA-EAP¹³, the government agencies concerned respond to findings and recommendations. More groups are signing up to CPA¹⁴ and audit institutions in other countries are replicating

it. Whether CPA is able to make an impact on the overall efficiency and integrity of public service in the Philippines remains a question.

NEXT STEPS

If this is to be included in the next action plan, there should be progression on the deliverables. It must clearly build on what has already been achieved and address continuing challenges. If new CPA activities and trainings will be conducted, it is recommended that it is specified what issues/sector do these cover and why. The challenge of sustaining intermediary CSO work must be grappled with. Is it able to hold power to account? Indicators for expansion/scale/effectiveness must be clear.

COA and ANSA-EAP both recommend the continuation of the commitment, with the recommendation of clarifying how the OGP platform can contribute more concretely to CPA and the broader open government change agenda¹⁵.

¹ The 1987 Philippine Constitution

² Citizen Participatory Audit in the Philippines. Available at: <http://iniciativatpa.org/2012/wp-content/uploads/2014/10/CPA-case-study.pdf>

³ Ibid.

⁴ Commission on Audit comment on the earlier draft.

⁵ Commission on Audit comment on the earlier draft.

⁶ Pimentel, Tina and Marco Zaplan, Bantay Kita. Interview on 18 November 2016 at Bantay Kita Office, Quezon City.

⁷ Thank you to new/ additional information provided by COA in commenting on earlier draft.

⁸ Malou Mangahas, Independent Reporting Mechanism: The Philippines Progress Report 2011-2013, (Open Government Partnership, 2013).

⁹ Malou Mangahas, Independent Reporting Mechanism: The Philippines Progress Report 2013-2015, (Open Government Partnership, 2016); IRM Staff. Independent Reporting Mechanism: The Philippines End-of-Term Report 2013-2015, (Open Government Partnership, 2016).

¹⁰ Gacusana, Edward, Manager, Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP). Interview on 25 October 2016 at COA Office, Quezon City.

¹¹ Thank you to new/ additional information provided by COA in commenting on earlier draft.

¹² Jose, Gloria, Director - Project Management Office (PMO), Commission on Audit (COA). Interview on 25 October 2016 at COA Office, Quezon City.

¹³ Gacusana, Edward. Ibid.

¹⁴ Groups like CODE-NGO, a nationwide coalition of non-government organizations all over the country, have signed up to join CPA. Gacusana, Edward Ibid.

¹⁵ Jose, Gloria. Ibid.; Gacusana, Edward. Ibid.

6 | CSO PARTICIPATION IN LOCAL POVERTY REDUCTION BUDGET PLANNING

Commitment Text:

There is an existing gap between local and national budget and development plans. BuB aims to contribute to making governance responsive to local needs and making public resources allocation more efficient and effective through citizen participation. This in turn will contribute to poverty reduction and inclusive growth.

Status Quo: Currently, 1,514 cities and municipalities have submitted Local Poverty Reduction Action Plans. The main objective is to increase citizen's access to local service delivery through demand-driven budget planning process, and to strengthen government accountability in local public service provision.

Relevance - The BUB program is relevant in advancing citizen engagement as it provides a mechanism for citizens to directly participate in the national budgeting process through the Local Poverty Reduction Action Team (LPRAT). BuB also seeks to establish supportive policies and create mechanisms that enable citizens and grassroots organizations to increase their demand for improved local service delivery and a more accountable government.

Ambition - The intended result is more responsive government plans and budget through the bottom-up process. The aim is to institutionalize participation of grassroots organizations in developing local poverty reduction action plans and identifying projects to be implemented in their areas. BuB is also expected to improve service delivery, benefiting especially the poor households and marginalized sectors.

Responsible institution:

Department of the Interior and Local Government (DILG)

Supporting institution(s):

Department of Budget and Management (DBM), Department of Social Welfare and Development (DSWD), National Anti-Poverty Commission (NAPC); Union of Local Authorities of the Philippines (ULAP); Budget Advocacy Group, Task Force Participatory Local Governance.

Start Date: 1 January, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
6. Overall				X	X	X					X		Yes			X	
6.1. LPRAP for cities and municipalities				X		X					X		Yes				X
6.2. Increased fund allocations				X		X					X		Yes				X
6.3. Feedback & monitoring mechanism			X		X	X				X			Yes			X	
6.4. Citizen Participation in Budget Bill			X			X				X			No		X		
6.5. Case study on BuB per region			X			X				X			No		X		

CONTEXT AND OBJECTIVES

Planning and budgeting in the Philippines has been overly-centralized and top-down with few inputs from ordinary citizens, despite the Constitution and the 1991 Local Government Code ensuring CSO participation. As a result, budget and plans have been unresponsive to the needs of citizens (especially the poor) and are prone to abuse and corruption, hindering development and growth.

The commitment aims to strengthen CSO participation in local poverty reduction budget planning through Bottom-up-Budgeting (BuB). BuB is an enhancement of the budget and planning process to involve grassroots organizations and LGUs in the identification of priority poverty reduction projects that will be funded by national government agencies. This commitment is immediately relevant to the OGP value of civic participation. Through the BuB, it is expected that budget plans will be responsive to needs and citizens will be empowered to contribute to governance.

To address the problem, this particular commitment

aims to ensure cities and municipalities comply with the submission of their Local Poverty Reduction Action Plan (LPRAP) following participatory processes and that there will be increases in performance-based funds to be allocated to performing LGUs as incentives. CSO deliverables include dialogues on the legislation to institutional BuB and case studies on BuB.

The specificity of the commitment objective is High. The commitment language provides clear, verifiable activities and measurable deliverables for the achievement of the commitment's objective. The deliverables are responsive to the objective and focused on the relevant value(participation). The specific results from the CSO objectives can be further improved by asking 1) What will the dialogues try to resolve?; and 2) What specific questions will the case studies answer?

If fully implemented, the commitment could contribute significantly to improving public services and in the effective management of public resources through a budgeting process that empowers citizens and focuses on services for the poor. This could be a significant step in improving the budgeting process in the

country. It could be transformative if the push for local governments to engage and listen to citizens comes from citizen power itself and is not heavily dependent on budget incentives and national pressure, as it is at the moment. This commitment is pre-existing and the target deliverables build on earlier progress¹ by targeting higher budget allocation and setting up of a feedback and monitoring mechanism. However, its citizen engagement target remains weak.

COMPLETION

The level of completion of the commitment is substantial. The number of LPRAPs passed in 2016 has exceeded the target for that year and is only short of two for 2017. As BuB is in its third/fourth year, compliance to LPRAP preparation and submission has been high. CSOs also have a stronger awareness and appreciation of the whole budget process, which makes the LPRAP less parochial and covers broader issues and concerns².

The allocated amount for performance downloads also exceeded the target. From 2.5B in 2015, it increased to 11.7B in 2016 and to 15.8B in 2017. Performance downloads through the Local Government Support Fund (LGSF), which is a direct download, are considered the most efficient and fastest (FGD in DILG, Interview with Czarina), hence the increase in allocation for BuB through LGSF is expected to improve the efficiency of BuB.

A dialogue on BuB took place at the House of Representatives and CSOs conducted two studies on BuB. Other dialogues and the rest of the studies, as well as the feedback and monitoring system, can still be accomplished until mid-2017. During the FGD, the DILG officials involved in BuB were unaware of the progress on CSO commitments in BuB.

EARLY RESULTS (IF ANY)

Impact studies on the BuB program³ have noted that BuB has reformed the budgeting process to take into account inputs from citizens, challenging past practice where the whole budget plan was determined by the local chief executive. The same PIDS studies noted too that this made the projects responsive to needs. The capacity of citizens to meaningfully engage their local government officials has significantly improved, although the results vary drastically across LGUs. Whether BuB has actually contributed to addressing issues confronting the poor remains a question⁴.

DILG officials consider the OGP reporting to be helpful in adding pressure on them to deliver. However, there is a recognition that the real added value of OGP to BuB can further be threshed out.⁵

NEXT STEPS

The new Department of Budget and Management (DBM) has scrapped BuB from the 2017 budget. There will be BuB implementation in 2017, to finish remaining projects. It remains to be seen whether the replacement, the Assistance to Disadvantaged Municipalities (ADM), will have mechanisms to mobilize, enable and consolidate civil society's voice. DBM states that the program has been used as "political tool" and that it was a "waste of money."⁶ ULAP and some CSOs have made efforts to stop the abolition of BuB, but to no avail.⁷

For the next action plan, it will be a challenge for CSOs to use the OGP mechanism to reassert the agenda of grassroots participatory budgeting given the evidence for its considerable impact and results. It is highly recommended that this agenda be included.

¹ See IRM Staff. Independent Reporting Mechanism: The Philippines End-of-Term Report 2013-2015, (Open Government Partnership, 2016).

² Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

³ According to BuB staff that participated in the FGD, there are several studies by Philippine Institute for Development Studies. One is accessible online: Manasan, Rosario. "Assessment of the Bottom-Up-Budgeting Process for FY 2015. Discussion Paper Series No. 2015-25. Philippine Institute for Development Studies. April 2015.

⁴ Ibid.

⁵ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

⁶ GMA News, DBM scraps Aquino admin's bottom-up budgeting, says it's a 'waste of funds', 14 July 2016, <http://www.gmanetwork.com/news/story/573698/money/economy/dbm-scraps-aquino-admin-s-bottom-up-budgeting-says-it-s-a-waste-of-funds> | Inquirer, DBM junks Aquino admin's bottom-up-budgeting, calls it 'political' tool, Yuji Vincent Gonzales, 15 July 2016, <http://newsinfo.inquirer.net/796143/dbm-junks-aquino-admins-bottom-up-budgeting-calls-it-political-tool> Thank you to new/ additional information provided by COA in commenting on earlier draft.

⁷ Medina-Duce, Czarina, Executive Director, Union of Local Authorities of the Philippines (ULAP). Interview on 21 October 2016 at ULAP Office, Mandaluyong.

7 | COMMUNITY PARTICIPATION IN LOCAL DEVELOPMENT PLANNING

Commitment Text:

Status quo or problem/issue to be addressed

Poverty, non-inclusive development, elite capture in project identification and implementation, corruption.

Main Objective

Communities in the target municipalities become empowered to achieve improved access to basic services and to participate in more inclusive local planning, budgeting, implementation and disaster risk reduction and management.

Description of Commitment

KC-NCDDP aims to capacitate communities to be active partners in local development and to support improvement in local governance. Community capacity building is done through trainings, coaching and providing community volunteers the space to exercise these skills in the Community Empowerment Activity Cycle. In Program implementation, KC-NCDDP adopts barangay assembly decision making, participatory situation analysis, inter-barangay forum for prioritization, community procurement, community finance, community monitoring, grievance redress and accountability reporting as vehicles to promote participation of community members and other citizen groups. On the governance side, continuing capacity building is provided to LGUs, supporting them on local poverty reduction action planning, resource mobilization, and implementation of CDD. Additional program level activities were adopted to further strengthen open governance include geo-tagging, hazard mapping, issuance of DRRM guidelines and Municipal Talakayan (where LGUs and citizens discuss development issues).

Relevance

Transparency – Involvement of communities in planning, procurement, financial management, grievance redress ensures that the whole community knows and understands resources flowing to their communities, processes in planning and implementation, and output of their initiatives. Engaging civil society in public audit - Accountability reporting and Municipal Talakayan discloses to the public local needs, available resources, identified activities for funding and how these are delivered and how resources were utilized. Enhance government procurement – the use of community procurement presents an alternative system for government where communities themselves are involved in every step of the process. Accessible data (single format and portal) – information on completed sub-projects are consistently being uploaded to the Open Data website. Protocols for geo-tagging are consistent with DA, NEDA, DENR and other government agencies for uniformity of format and easy data sharing. Enhance performance bench marks for local governance – utilization of PSA monitoring, and survey data in assessing the quality of LGU projects and services and the level of development in the municipality. Grassroots participation in local planning and budgeting – promotion of localized and demand driven decision making through mobilization of grassroots organization and communities in planning, implementing and managing subprojects that address local poverty and disaster response operations and ensuring that barangay development plans are integrated into municipal development plans.

Ambition

It is envisioned that with the conduct of trainings and other capacity building activities, communities will actively and effectively participate in improving the quality of their lives by taking part in identification of community needs and solutions, and in regular local planning and resource allocation. Meanwhile, LGUs will actively deliver quality and inclusive basic social welfare and development services by being responsive to community identified

needs, and being providing access to information on local resources, plans and processes

Performance Target by 2015:

- *177 municipalities with increased membership of POs and CSOs in local development councils and special bodies*
- *5574 barangays with poverty reduction action plans prepared, involving community members*
- *6,735 community projects completed*

Performance Target by 2016:

- *325 municipalities with increased membership of POs and CSOs in local development councils and special bodies*
- *6,889 barangays with poverty reduction action plans prepared, involving community members*
- *7,713 community projects completed*

Performance Target by 2017:

- *345 municipalities with increased membership of POs and CSOs in local development councils and special bodies*
- *7,184 barangays with poverty reduction action plans prepared, involving community members*
- *5,061 community projects completed*

Responsible institution:

Department of Social Welfare and Development (DSWD)

Supporting institution(s):

National Steering Committee: National Economic and Development Authority, Department of Finance, National Anti-Poverty Commission, Department of Budget and Management, Department of the Interior and Local Governemnt, Department of Agriculture, Department of Agrarian Reform, Department of Health, Department of Education, Department of Science and Technology, Department of Environment and Natural Resources, Department of Public Work and Highways, Department of Labor and Employment, Technical Education and Skills Development Authority, Office of the Presidential Adviser on the Peace Process, National Commission on Indigenous Peoples, Presidential Commission for the Urban Poor, Office of the Presidential Assistant for Rehabilitation and Recovery, Housing and Land Use Regulatory Board, League of Provinces, League of Municipalities, League of Barangays, Regional Development Councils, Municipal and Barangay Local Government Units. World Bank, Asian Development Bank, Australian Government DFAT, AECID, Millennium Challenge Corporation Task Force Participatory Local Governance

Start Date: 1 January, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
7. Overall			X			X					X		Yes			X	
7.1. POs and CSOs in local development councils			X			X					X		Yes				X
7.2. Involve community in poverty reduction planning			X			X						X	Yes			X	
7.3. Community projects completed			X			X					X		Yes			X	
7.4. Case study on KALAH-CIDDS per region			X			X				X			No	X			

CONTEXT AND OBJECTIVES

Planning and budgeting in the Philippines has been overly centralized and top-down with few inputs from ordinary citizens. As a result, budget and plans have been unresponsive to the needs of citizens (especially the poor) and are prone to abuse and corruption, hindering development and growth.

The commitment aims to strengthen community participatory processes to facilitate involvement of citizens in local development planning through a Department of Social Welfare and Development (DSWD) program called Kapit-Bisig Laban sa Kahirapan (KALAH-CIDDS) (KC) National Community-Driven Development Program (NCDDP). KC-NCDDP, which adopts the community-driven development strategy launched nationwide in 2014, aims to capacitate communities to be active partners in local development and to support improvement in local governance. Community capacity building is done through training, workshops, and providing community volunteers with the space to exercise these skills in

the Community Empowerment Activity Cycle¹. This is deemed supportive of participation and access to information or transparency.

To achieve the objective, the commitment set out to ensure an increase in membership of people's organizations and civil society organizations in local development councils and special bodies. It also aims to ensure submission of poverty reduction action plans of thousands of barangays and completion of community projects. To document the experience of the communities and note the quality of participation, the civil society commitment holder, the Task Force Participatory Local Governance (TF-PLG) will conduct a study on citizen participation in KC-NCDDP.

The deliverables are clear and they build on the objectives which are relevant to OGP and clearly contribute to resolving the problem. However, the deliverable does not specify the level of increase in membership of POs and CSOs and whether only increases from the processes of KC-NCDDP will be taken into account. It also has no indicator to check the

quality of participation, which is crucial in addressing the problem this commitment is trying to address.

Given the extensiveness of organizing and capacity-building in KC-NCDDP, if fully implemented, this commitment could be a major step towards engaged citizenry that contributes to improved public services, more effective management of public resources and safer communities through active and meaningful participation in governance. However, a nominal increase in citizen participation alone does not guarantee empowerment and poverty reduction, which are the end-goals of KC-NCDDP. Many other factors, such as economic development and the state of democracy in the country, come into play.

COMPLETION

Deliverable 1 (increased membership of POs and CSOs) has already achieved its target. Out of the targeted 177 and 325 municipalities with increased membership of POs and CSOs in LDCs and special bodies in 2015 and 2016, respectively, 173 in 2015 and 585 in 2016 had been accomplished. This is validated by a report of the ADB on KC-NCDDP that states 93 percent of target municipalities have increased membership of people's and civil society organizations in local development councils and special bodies². The openness of the LGUs to the involvement of KC-NCDDP community volunteers and leaders is said to be due to the Memorandum of Agreement (MOA) that is agreed upon by the community, the LGU and DSWD. The MOA is a binding agreement which stipulates the responsibility of the LGU to institutionalize the gains, which include integration of community volunteers and leaders in local mandatory participatory bodies³.

The other two (action plans submitted and completed community projects) are still short of the targets for 2016. Out of the targeted 5,574 and 6,889 barangays with poverty reduction action plans prepared, involving community members in 2015 and 2016, respectively, only 5,428 barangays in 2015 and 4,462 in 2016 have been achieved. Out of the targeted 6,735 and 9,674 community projects completed in 2015 and 2016, respectively, 6,055 community projects in 2015 and 4,939 as of end July 2016 have been completed.

According to DSWD, the delay in the achievement

of the targets is because KC-NDDP is implemented by batch so the submission of plans and project implementation also happens by batch⁴. The report they have so far is also from the second quarter. There are also challenges in implementation, including documentation requirements of agencies⁵.

The deliverable of CSOs has not started yet, though JRIG, which is the secretariat of TF-PLG, the CSO co-holder of this commitment, said they have yet to check with other members of the TF-PLG as of the writing of this report⁶. JRIG also raised the problem of funding for the study⁷.

The IRM Researcher marks the accomplishments on this commitment as substantial. Except for the lack of reported progress on the last deliverable, there has been significant progress in most deliverables.

EARLY RESULTS (IF ANY)

A total of Php 14,216,422,074.00 has been disbursed to community projects through KC-NCDDP. Billions of pesos have gone to the poorest barangays through community participatory processes. New community leaders have emerged from the process infusing new dynamics in the LDCs and special bodies. Plans generated through KC-NCDDP processes are being used in other programs, facilitating convergence of efforts of the government and civil society. OGP has contributed in serving as a monitoring platform on participation and access to information for KC-NCDDP (all the other monitoring systems focus on efficiency and effectiveness indicators).⁸

NEXT STEPS

It is recommended that this commitment be included in the next action plan with a focus on the quality and sustainability of participation. OGP serving as an alternative monitoring platform for KC-NDDP that looks into participation and access to information can be further pursued.

¹ Kalahi-CIDSS National Community-Driven Development Program Project Briefer. Available at: http://ncddp.dswd.gov.ph/Media/uploads/KC_NCDDP_2.pdf

² Asian Development Bank, Philippines: KALAH-CIDSS National Community-Driven Development Project. Available at: <https://www.adb.org/projects/46420-002/main#project-pds>

³ Silli, Eleonora Gretchel, Monitoring and Evaluation Office, KALAH-CIDSS NCDDP PMO-Department of Social Welfare and Development (DSWD). Interview on 3 November 2016 at KALAH-CIDSS PMO Office, Quezon City.

⁴ Ibid. Added info from the respondent: Achievement of targets does not usually come early in the year because of the phased and sequential implementation of KC-NCDDP, which goes along the stages of the Community Empowerment Activity Cycle. One cycle typically spans 12 months, but does not necessarily start at the beginning of the year, nor are all municipalities synchronized in their implementation.

⁵ Ibid

⁶ Magno, Francisco Executive Director and Jason Ian Helcita, Jesse Robredo Institute of Governance (JRIG)-De la Salle University (DLSU), Interview on 7 November 2016 at DLSU Campus, Manila.

⁷ Ibid

⁸ Silli, Eleonora Gretchel, Monitoring and Evaluation Office, KALAH-CIDSS NCDDP PMO-Department of Social Welfare and Development (DSWD). Interview on 3 November 2016 at KALAH-CIDSS PMO Office, Quezon City.

8 | FEEDBACK MECHANISM TO IMPROVE PUBLIC DELIVERY

Commitment Text:

- Government agencies do not follow or have poor service commitments to the public.
- One-way government frontline service approach which does not consider customer insight.

Main objective - The Integrated Anti-Red Tape Act (ARTA) Program's main objective is to improve public service delivery by making government agencies responsive to their customers' insights. The program also aims to increase transparency, citizen participation, and accountability. By doing so, the Integrated ARTA Program responds to the societal goal, Inclusive Growth and Poverty Reduction. Performance Target by 2017:

- 90% of public reports lodged via Contact Center ng Bayan (CCB), acted upon by CSC
- 10% increase in the percentage of offices surveyed under the Report Card Survey (RCS) obtaining the Citizen's Satisfaction Center Seal of Excellence Award (CSC-SEA) (2015 baseline).

Relevance - The program promotes transparency and access to information by making sure that frontline government agencies post Citizens Charters informing clients and stakeholders of their service commitments. The program also capitalizes on technology to advance civic participation with the Contact Center ng Bayan which created a national public feedback system. Through multiple access modes, a quick action team from the Civil Service Commission collects and responds to public – customer complaints, suggestions, and other feedback, and link these to agencies concerned. Likewise, the program furthers public accountability, access to information, and civic participation through the Report Card Survey. The initiative transforms the feedback process through the active collection of clients' insights on agencies' compliance with ARTA and on the quality of service they just received. It introduces a metric-based approach that enables government agencies and the public to easily and objectively track the progress of public service performance. Above all, the RCS grants citizens the power to quantitatively evaluate the performance of government offices, and to an extent, determine if and how much performance incentive a government office gets.

Ambition - As the program empowers both the public and government agencies, an espousal of a culture of customer service and continuous public service improvement is envisioned. With the program, government agencies will hopefully open up and view the public clients as their partners, and public feedback as constructive and valuable inputs for genuine public service delivery enhancement.

Responsible institution:

Civil Service Commission

Supporting institution(s):

Department of Science and Technology-Information and Communications Technology Office. Bantay.PH, United Nations Development Programme, Integrity for Investments Initiative (i3)/USAID

Start Date: 2015

End Date: 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
8. Overall			X				X				X		Yes			X	
8.1. Public reports via CCB acted upon by CSC			X			X					X		Yes				X
8.2. Increase in CSC-SEA recipients				X			X				X		Yes		X		

CONTEXT AND OBJECTIVES

Delivery of frontline services in the Philippines has been plagued by inefficiency and graft. Government agencies have poor service commitments to the public and customer feedback has not been utilized to improve service performance. The commitment aims to improve public service delivery through an effective government feedback and monitoring mechanism, particularly through the the Integrated Anti-Red Tape Act (ARTA) Program of the Civil Service Commission (CSC). The Integrated ARTA Program has several components: Citizens Charters that inform clients of agencies' commitments; Contact Center ng Bayan, which is a national public feedback system utilizing multiple access modes (via SMS, phone, email) and quick action process (i.e., process of generating response to feedback); and Report Card Survey that tracks the compliance of frontline agencies to performance and quality standards and is made public through the announcement of results and accompanying awards¹.

To achieve the objective, the commitment aims to ensure that reports generated through Contact Center ng Bayan (80 percent and 85 percent for 2015 and 2016, respectively) are acted upon and that more offices (from 2015 baseline) will obtain the Citizens' Satisfaction Center-Seal of Excellence Award (CSC-SEA).

The specificity of the commitment is medium because while the deliverables are measurable and relevant to the objective, the kind of actions that can be generated are articulated clearly in the deliverable. Will actions need to ensure resolution of complaints or will simply the forwarding of a complaint or any response from the agency be considered an action?

If implemented successfully, this commitment could be an effective comprehensive feedback mechanism that would support continuous improvement of frontline services, ensuring that they are efficient, responsive, and citizen-centered. However, to have this kind of impact, it will have to come with full public support and political mandate as well as improvement of some policies and resolution of resource gaps that are keeping the frontline services from improving. In this light that the potential impact of this commitment is Moderate: A major step forward in the relevant policy area to improve problem identified.

COMPLETION

The Self-Assessment Report gives a "substantial" mark for this commitment on level of completion. According to the Self Assessment Report, CSC acted upon 100 percent of public reports lodged via CCB, in 2015 and 2016. The feedback was forwarded to concerned agencies for action. The Terminal Report on Contact

Center ng Bayan for 2015 says that 86.78 percent of the total number of complaints had been resolved by the end of December 2015, while the remaining 13.22 percent were transactions lodged in the final days of December 2015, which the CCB team aimed to resolve during January 2016.² As per interview with CSC³, the 2015 backlogs have now been resolved, though no report has been prepared for 2016.

The Self-Assessment Report states that no increase in the number of agencies receiving the Seal of Excellence Awards has been reported because the 2016 Report Card Survey is still ongoing. According to CSC, in 2016, 1109 service offices were surveyed, with 140 services offices garnering excellent rating, 94 of the 140 excellent offices passed the 1st phase validation and will be subjected to the second phase in the 1st semester of 2017.⁴ As per interview,⁵ it is likely that the number of agencies awarded the Seal will go down because of the change in the criteria. In particular, the presence of strike out questions, which are questions on standards that if not present may automatically disqualify offices (as opposed to in the past when these standards were only graded), has made it hard to qualify for the Seal⁶.

EARLY RESULTS (IF ANY)

The Contact Center ng Bayan received a total of 27,073 items of feedback in 2015 through SMS (22,787), email (1,239) and calls (3,047)⁷. This shows that there is public uptake. People are making use of available mechanisms to give feedback and almost all of the feedback receives a response. It is also interesting to note that the number of commendations in the feedback generated through CCB has increased from 77 in 2014 to 215 in 2016.

More significantly, the number of agencies that have improved their ranking in the RCS have also been increasing over time. ARTA Key Results from 2012 to 2014 is as follows:

- 599 services offices surveyed, 8 percent offices with excellent rating, 25percent offices failed in 2012;
- 929 service offices surveyed, 18 percent offices with excellent rating, 7percent offices failed in 2013;
- 1,023 service offices surveyed, 25percent offices with excellent rating, 4percent failed in 2014⁸.

This is indicative of a growing awareness of the need for frontline services to improve and be citizen-oriented. A study of the Ateneo School of Government in 2015 notes that agencies respond to the RCS because of its incentive (i.e., award) and disincentive (i.e., publication of results) framework⁹.

NEXT STEPS

It is recommended that this commitment be continued with emphasis on citizen use and ensuring quality response/action from agencies.

The success of the Integrated ARTA lies in citizen use of the platforms and mechanisms. The next steps should focus on promoting more citizen use, including the feedback mechanisms available at the frontline services. It is also recommended that closer attention be given to the kind of response and actions that are generated from public feedback and the RCS assessment. It is not enough that feedback and assessment are generated, it is also important that actions are taken to ultimately improve services.

¹ Agencies that get a remarkable mark in the Report Card Survey conducted by the Civil Service Commission are given Seal of Excellence Awards.

² Civil Service Commission. CCB 2015 Terminal Report. Unpublished document.

³ Arquiza, Christie Cecilia, ARTA Project Officer, Civil Service Commission (CSC). Interview on 25 October 2016 at CSC Office, Quezon City.

⁴ Thank you to CSC for this additional/ new information from the comments on the earlier draft.

⁵ Ibid

⁶ Civil Service Commission Memorandum Circular 11 Series of 2016.

⁷ Civil Service Commission. CCB 2015 Terminal Report. Unpublished document.

⁸ CSC, Integrated Anti-Red Tape Program, Accessed on Nov. 12, 2016, <http://www.gov.ph/governance/wp-content/uploads/2015/08/Q1-Q2-2015-ANTI-RED-TAPE.pdf>

⁹ G-Watch/ PODER-Ateneo School of Government (2015). Monitoring and Assessment of the Anti-Red Tape Act (ARTA) Report Card Survey. Ateneo School of Government. Unpublished report.

9 | ENHANCE PERFORMANCE BENCHMARKS FOR LOCAL GOVERNANCE

Commitment Text:

Status quo or problem/issue to be addressed

There exists a continuing challenge for local governments to perform better, and achieve a desirable condition where local governments are able to:

- *Sustain the practice of transparency and accountability in the use of public funds;*
- *Prepare for challenges posed by disasters;*
- *Demonstrate sensitivity to the needs of vulnerable and marginalized sectors of society*
- *Encourage investment and employment;*
- *Protect constituents from threats to life and security; and*
- *Safeguard the integrity of the environment*

Main Objective

The objective is to stipulate good governance behavior among local governments specifically in: a) the proper utilization of public funds; b) providing exemplary services to local communities; and c) promoting transparency, accountability and participation. Brief Description of Commitment From its pilot run in 2010, the Seal of Good Housekeeping (SGH) promotes transparency and accountability in local operations. In 2012, 84% of provinces, cities and municipalities were conferred with the SGH. This indicates readiness of local governments to take on greater challenges. In 2014, the Department scaled up the Seal of Good Housekeeping into the Seal of Good Local Governance (SGLG), a recognition of good performance of provincial, city and 31 municipal governments, not only on financial housekeeping, but also on other areas that directly benefit the people. These performance areas are: good financial housekeeping, disaster preparedness, social protection for the basic sector, business friendliness and competitiveness, environmental management, and law and order and public safety

OGP challenge addressed by the commitment

- *Improving Public Services*
- *Increasing Public Integrity*
- *More Effectively Managing Public Resources*

Relevance: This commitment is relevant in advancing transparency and citizen participation through the various performance criteria required for eligibility of the SGLG. This seeks to improve government service delivery by fostering openness and participation through compliance with the Full Disclosure Policy and representation of sectors in local decision bodies; and improve governance and capacity of local governments. The Seal is a demonstration that transparency and accountability work for the interest of the citizen, not only in knowing the financial health of the local government and the range of services it provides, but also where citizens are able to draw local information and engage in good service delivery.

Ambition : Raising the performance benchmarks of LGUs intends to improve aspects of local governance, such as transparency in local plans and budgets and mandatory representation of CSOs in local special bodies.

Responsible institution:

Supporting institution(s):

Start Date:

End Date:

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
9. Overall				X			X				X		Yes			X	
9.1. Enhance and scale up indicators			X				X			X			Yes				X
9.2. Assess 1,653 PCMs annually				X			X				X		Yes			X	
9.3. Confer Seal on qualified PCMs				X			X				X		Yes				X
9.4. CSO representatives on SGLG assessment team			X			X				X			Yes				X

CONTEXT AND OBJECTIVES

The state of development and governance in local governments across the country varies, with some local governments continuing to struggle, while a few are performing well but inconsistently over time. It is a challenge to make good performance with beneficial outcomes a norm across LGUs over time. The commitment aims to encourage good performance among local governments through the Seal of Good Local Governance (SGLG), a recognition of good performance of provincial, city and municipal governments in areas that directly benefit the people, namely: good financial housekeeping, disaster preparedness, social protection for the basic sector, business-friendliness and competitiveness, environmental management, and law and order and public safety. By serving as a mechanism to check compliance to standards on transparency, participation, and efficient and responsive delivery of services and performance of functions, the commitment is relevant to public accountability and indirectly to civic participation.

To achieve its desired objective, the commitment has aimed to enhance the performance scales of SGLG,

assess 1,653 Provinces, Cities and Municipalities (PCMs) annually from 2015- 2017, confer Seals to all qualified PCMs and ensure representation of CSOs in the SGLG Assessment Team.

The specificity of the commitment is high. Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective. It can still be improved in terms of targeting increase/ progress in the deliverables over time and specifying the kind of enhancement in the performance scales targeted and the manner in which CSOs will meaningfully engage in the SGLG assessment.

This is a continuing commitment. The earlier accomplishments include development of performance benchmarks and indicators, rollout of the program and conduct of initial assessments. The targets in this action plan are forward steps for the program as it increases the target number of LGUs with enhanced performance and includes a target for ensuring CSO participation.

If completed with improvements in targets, the commitment could contribute to addressing the

problem of normalizing/scaling good performance in local governance, which, however, will also depend on some reforms in the policy environment, such as the strengthening of autonomy and self-reliance of local governments, and on the engagement of the people.

COMPLETION

The progress on the delivery of the commitment is on time, with three of the four deliverables completed and one still ongoing.

The DILG issued the enhanced guidelines of SGLG (Memorandum Circular 2016-1) in January 2016¹. The new guidelines enhanced and provided additional indicators for compliance, especially in the core areas of the assessment criteria (financial administration, disaster-preparedness, and social protection). In the 2015 SGLG evaluation round, 1676 PCMs were assessed, while the 2016 evaluation round is still ongoing.

Girle Zara, the person responsible for this commitment in DILG, attributes the more than 100 percent coverage to political support from the former secretary and improvement in the system (i.e., there is already an existing structure, personnel, and linkages)². Meanwhile, to support the implementation of SGLG, ULAP has undertaken several events to communicate the program and generate support from LGUs³. This includes the Performance Challenge Fund Breakthrough Summit, advocacy campaigns in various regions called #ParaSaBayan, Innovative Solutions to OGP (ISOGP) Learning Event, LGU ICT Forum and the 12th Community-Based Monitoring System (CBMS) Philippine National Conference.

There are 306 PCMs awarded with the Seal using upgraded criteria. This is a 20 percent increase from 254 PCMs in 2015. If the criteria was not upgraded, the increase in the number of PCMs would have

been 60 percent. All SGLG assessment teams have CSO representatives for 2015 and 2016 evaluation rounds. CSO representatives include the Foundation Communication, Center for Disaster Preparedness, and the Philippine Pastoral Commission for Responsible Voting and CODE-NGO.

EARLY RESULTS (IF ANY)

The increasing number of SGLG recipient LGUs indicates that more LGUs are performing better according to certain criteria that benefit their constituencies. According to DILG⁴, there are more LGUs that have less adverse findings from COA, which is indicative of improving financial management in LGUs. There are more LGUs compliant to accessibility requirements, and to their GSIS obligation, and are more prepared to manage disaster response.

NEXT STEPS

The IRM Researcher recommends this commitment forms part of the next action plan. The SGLG, being a young program, would benefit from another platform that could monitor and advocate for it. The SGLG could achieve bigger results if integrated with other programs that make use of the information it generates and can leverage it to pass relevant reform measures. To strengthen the SGLG's relevance to OGP, the deliverables can center on the engagement and use of external stakeholders of the SGLG process and result. Czarina Medina of ULAP recommends that the SGLG and other related performance assessment systems and tools be harmonized to avoid duplication and create a more solid impact. This can be part of the next deliverable under the SGLG commitment. Finally, DILG officials present in the FGD⁵ recommend clarification on what OGP can more concretely contribute to the program.

¹ The Seal of Good Local Governance. Available at: http://www.dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2016111_e820585515.pdf

² Zara, Girle, LGOO VII, Bureau of Local Government Supervision (BLGS) - Department of Interior and Local Government (DILG). Interview on 24 October 2016 at DILG Office, Quezon City.

³ Medina-Duce, Czarina, Executive Director, Union of Local Authorities of the Philippines (ULAP). Interview on 21 October 2016 at ULAP Office, Mandaluyong.

⁴ Zara, Girle, LGOO VII, Bureau of Local Government Supervision (BLGS) - Department of Interior and Local Government (DILG). Interview on 24 October 2016 at DILG Office, Quezon City.

⁵ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

10 | IMPROVE EASE OF DOING BUSINESS

Commitment Text:

Status quo or problem/issue to be addressed

The milestone of this continuing commitment remains the same as the target end date was set in 2016. The next Doing Business Report has yet to be published in the fourth quarter of 2015. The Philippines' ranking has improved significantly since 2013, jumping 43 notches. Currently, the Philippines ranks 95th out of the 189 countries that were covered by the Doing Business survey.

Main Objective

The initiative aims to raise Philippine competitiveness rankings from the bottom third to the top third in the world by 2016. Brief Description of Commitment Gameplan on Competitiveness - Ease of Doing Business was created to initiate, implement, and monitor ease of doing business reforms, and the inclusion of the reform targets in the performance-based incentive system of all government agencies concerned with business-process related services.

OGP challenge addressed by the commitment Improving Public Services

Relevance: This commitment is relevant in promoting transparency and efficiency in government doing business processes. This initiative is also relevant to OGP as it promotes technology and innovation in streamlining processes and implementing doing business reforms in the country.

Ambition : Aside from improved ranking in the Doing Business Survey, the more important ambition in this commitment is institutionalizing efficiency in the business processes in the country.

Responsible institution: National Competitiveness Council (NCC)

Supporting institution(s): Department of Trade and Industry

Start Date: 1 July, 2013

End Date: 31 October, 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
10. Overall		X			Unclear						X		Yes			X	

CONTEXT AND OBJECTIVES

While the Philippine economy has steadily grown in the past five years, the country's poverty incidence remains high at approximately 25 percent since 2012. The Aquino Administration tried to address the problem of poverty in the country by propelling growth and economic development through investment and job creation, which can be achieved through improved competitiveness. In June 2011, President Aquino issued Executive Order No. 44 amending a previous executive order in 2006 to form the National Competitiveness Council. The vision of the Council is to promote a more competitive Philippines and instill a culture of excellence, through public-private sector collaboration as a means to reduce poverty through inclusive growth. Its mission is to implement the action agenda with private sector initiatives that support public policies. President Aquino also passed Administrative Order 38 in 2013 creating an inter-agency task force to "initiate, implement and monitor ease-of-doing-business reforms."

The objective of this commitment is to improve the ease of doing business in the country. This commitment, which was introduced in the OGP by PH-OGP Secretariat due to the need to broaden private sector participation after the first action plan, is indirectly relevant to improving public accountability as it monitors the government's action agenda for improving the country's competitiveness; and to Technology & Innovation for Transparency and Accountability as it promotes technology and innovation in streamlining processes and implementing doing business reforms in the country.

To achieve the objective, the commitment aims to bring Philippine competitiveness rankings from the bottom third to the top third in the world by 2016 in Ease of Doing Business Survey¹ by implementing the Gameplan on Competitiveness, which was created to initiate, implement, and monitor ease of doing business reforms, and the inclusion of reform targets in the performance-based incentive system of all government agencies concerned with business-process related services.

The commitment specificity is low. The commitment language describes an activity that can be construed as verifiable but requires some interpretation on the

part of the reader to identify what the activity sets out to do and determine what the deliverables would be. What exactly does the deliverable 'Bring PH in the top third rank in the Doing Business Survey' entail? This target, while verifiable, needs to be broken down into measurable activities. If achieved, this commitment signals improvement in the competitiveness of the Philippines which would indicate reforms in some of its critical business processes. The potential impact is minor given the lack of clarity on the exact reforms to be achieved through this commitment.

COMPLETION

The target of the commitment has not been achieved. Instead, the Philippines has fallen eight notches (from 95th to 103rd place) in the results of the 2016 Doing Business Survey. Nonetheless, the National Competitiveness Council (NCC), the commitment holder, reported that there has been substantial progress in streamlining business processes in the country.

NCC technical staff, in an FGD conducted for this report, also shared that though there have been challenges in implementing the Gameplan on Competitiveness, such as amending outdated laws and policies, there has also been remarkable accomplishments². The unpredictable changes in the survey methodology, lack of public awareness to the reform initiatives, and lack of commitment and support from a few agencies were some of the reasons given why the target was not achieved.³

EARLY RESULTS (IF ANY)

Since the reformation of the NCC in 2011, the country's standing has jumped from 144th in 2010 to 108th in 2014-2015 in the World Bank's Ease of Doing Business Index. There have also been numerous efforts undertaken across the bureaucracy in improving the country's competitiveness.⁴ The steady increase of growth rate from 2013 to 2016, the new investments, and improved credit ratings can be considered gains in the country's improved level of competitiveness.

NEXT STEPS

The relevance of this commitment to OGP is not immediately recognizable. There is a need to clarify the

transparency, participation, accountability and use of ICT agenda in this commitment. It is recommended that relevant plans in the Gameplan for Competitiveness be selected as the focus of the OGP commitment.

¹ Ease of Doing Business Survey is a survey on competitiveness conducted by The World Bank. The Philippines has jumped from 144th in 2010 to 108th in 2014-2015 in the Ease of Doing Business Index. The top third of the ranking is 1st-63rd place.

² Focus Group Discussion, National Competitive Council (NCC) Staff. Held on 12 October 2016 at NCC Office, Makati City.

³ Ibid. Thank for the suggested sharpening of this statement in the comment of NCC on the earlier draft.

⁴ The following were listed in the Official Gazette of the Philippines on Ease of Doing Business Report which also notes a change in rating due to change in the methodology: How to start a business: No. of steps increased from 15 to 16 and No. of days reduced from 35 to 34; Dealing with construction permits: No. of steps reduced from 25 to 24 and No. of days increased from 77 to 94; Getting an electricity connection: No. of steps reduced from 5 to 4 and No. of days remains at 42; Registering property: No. of steps is 9 and No. of days is 35 (Note: These figures cannot be compared with the 2014 set of indicators due to changes in methodology); Getting credit information: Depth of credit information index is 5 and Strength of legal rights index is 3 (Note: These figures cannot be compared with the 2014 set of indicators due to changes in methodology); Protecting investors: Extent of Conflict of Interest Regulation index is 4/10 and Extent Shareholder Governance index is 4.33/10 (Note: These figures cannot be compared with the 2014 set of indicators due to changes in methodology); Paying taxes: No. of payments remains at 36 and No. of hours to prepare and file returns and pay taxes remains at 193; Trading across borders: No. of documents to export remains at 6, No. of days to export remains at 15, No. of documents to import remains at 7, No. of days to import remains at 14; Enforcing contracts (through our courts): No. of steps remains at 37 and No. of days remains at 842; Resolving insolvency (filing for bankruptcy and shutting down a company): Recovery rate (cents per \$) is at 21.24, Strength of Insolvency Framework is at 14.5/16 (Note: These figures cannot be compared with the 2014 set of indicators due to changes in methodology). (Official Gazette of the Philippines, Ease of Doing Business – Gameplan for Competitiveness, accessed on November 13, 2016, <http://www.gov.ph/governance/wp-content/uploads/2015/08/Q1-Q2-2015-EASE.pdf>)

11 | LOCAL GOVERNMENT COMPETITIVENESS

Commitment Text:

- Difficulty in gathering data at city and municipality level;
- Sustainability of data collection affected by funding
- Time lag in national data surveys.

The objective is to design and provide a diagnostic tool that can be used by LGU officials in assessing their level of competitiveness and identifying areas for improvement and collaboration

Responsible institution: National Competitiveness Council (NCC)

Supporting institution(s): Department of Trade and Industry, National Economic Development Authority – Philippine Statistics Authority, Department of Interior and Local Government. Academe, Local Business Groups

Start Date: 1 May, 2014

End Date: 31 July, 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
11. Overall				X	X			X		X			Yes				X
11.1. More LGUs covered by CMCI				X	X			X		X			Yes				X
11.2. Improve LGU competitiveness				X	Unclear					X			Yes				X
11.3. Institutionalize CMCI data collection			X		X			X		X			Yes				X

CONTEXT AND OBJECTIVES

The level of competitiveness of local governments, which affects LGUs' ability to grow their economy, varies across the country. The objective of the commitment is to design and provide a diagnostic tool, referred to as the City and Municipalities Competitiveness Index or CMCI, that can be used by LGU officials in assessing their level of competitiveness and identifying areas for improvement and collaboration¹. Monitoring the level of competitiveness of LGUs against a set of indices aims to encourage LGUs to improve their competitiveness consistently over time.

This commitment is primarily relevant to increasing access to information since the deliverables are focused on creating a tool for tracking competitiveness and institutionalizing relevant data collection practices. This is an important pre-requisite for achieving the implied objective of making competitiveness efforts more accountable to the public, because the tool would provide the public with information on the competitiveness of their locality compared to other localities over time. However, as written, there is no feedback or accountability mechanism in the design of this diagnostic tool for citizens to hold public officials responsible. This commitment also addresses technological innovation with the use of an index that is published online.

The commitment aims to achieve the objective by covering all 144 cities across the country, increasing the covered LGUs from 1,120 to 1,232, by targeting an improvement on the overall competitiveness score of 20percent of the LGUs and institutionalizing the CMCI. Once an LGU enrolls itself in the program, it will be covered,

The specificity of the commitment is high. The commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective. It can still be improved in terms of further specifying what kind of policies are targeted to institutionalize the CMCI and what constitutes being 'covered' by CMCI.

If fully implemented, the commitment could make a minor contribution in improving the level of competitiveness of local government. Competitiveness is a function of many factors and providing an assessment/measurement mechanism without any

additional support or intervention would not be enough.

COMPLETION

The commitment is on time and all of its target deliverables have been accomplished. CMCI covered 142 and 144 cities and municipalities across the country in 2015 and 2016, respectively. There were 1,120 and 1,389 LGUs covered in 2015 and 2016, respectively. According to the staff of NCC interviewed for this report, since the participation of LGUs in the program is voluntary, the advocacy and outreach activities like the Regional Competitiveness Summits in 2015 and 2016, the involvement of CMCI in OGP that signals high-level political support and the partnership with ULAP contributed to encouraging LGU participation².

In 2015, 38 out of 136 cities (28 percent) and 88 out of 399 municipalities (22percent) have an overall competitiveness index score improvement. In 2016, 57 out of 142 cities (40 percent) and 391 out of 978 (40 percent) municipalities have an overall competitiveness index score improvement.

To institutionalize CMCI, two Memorandum of Agreements (MOA) were signed by relevant agencies, namely the National Competitiveness Council (NCC), Department of Trade and Industry (DTI), Philippine Statistics Authority and Department of the Interior and Local Government (DILG). One MOA spells out the collaboration between NCC and DILG in conducting the CMCI, which the other MOA provides the framework of collaboration with the PSA. Regular national and regional competitiveness committee business meetings took place in 2015 and 2016, as well as the continuous improvement of the index created in partnership with academe and with the support of development partners.

EARLY RESULTS (IF ANY)

The improved scores on competitiveness of a good number of local governments only four years after the CMCI was initiated in 2012 is indicative of early results that can be scaled up and sustained. This means that to some extent, there are LGUs that are acting upon the findings through CMCI to improve their competitiveness. There is no indication yet that the general public is using the CMCI data online, but media and academe are said to have taken an interest in it³.

NEXT STEPS

The initiative is an affirmative step towards improving competitiveness of LGUs and the OGP platform has a clear value-added to the program as a means for advocacy and outreach. However, the relevance of the commitment to OGP values can be improved. If this is enrolled again, the emphasis of its deliverables in OGP should be on citizen use of the CMCI data and how LGUs act upon the findings of the CMCI in undertaking governance reforms that improve their competitiveness. The participants of the FGD in NCC conducted for this report also recommended harmonization of the CMCI with other relevant assessment indices for efficiency and greater impact⁴.

¹ The Index provides a picture of how local government units are performing in terms of economic dynamism, government efficiency, and infrastructure: Economic dynamism was scored according to the size and growth of the local economy as measured by business registrations, capital, revenues and occupancy permits; capacity to generate employment; cost of living; cost of doing business; financial deepening; productivity; and presence of business and professional organizations. Government efficiency was based on data on transparency scores, economic governance scores, local taxes and revenues, local competition-related awards, business registration efficiency, investment promotion, compliance to national directives, security, health and education. Infrastructure scores were based on data on the existing road network, distance from city center to major ports, Department of Tourism-accredited accommodations, health infrastructure, education infrastructure, basic utilities, infrastructure investments, ICT connection, ATMs and public transportation. (See Inquirer, Manila is most competitive city; Davao Sur for provinces, Amy Remo, 17 July 2015. Available at: <http://business.inquirer.net/195432/manila-is-most-competitive-city-davao-sur-for-provinces#ixzz4PuTIPm71>)

² Focus Group Discussion, National Competitive Council (NCC) Staff. Held on 12 October 2016 at NCC Office, Makati City.

³ Ibid.

⁴ Ibid.

12 | PUBLIC-PRIVATE SECTOR DIALOGUE ON INCLUSIVE GROWTH

Commitment Text:

There is already an existing structure of collaboration, consultation, and dialogue among the business organizations via the PBG-JFC. In 2013, the PBG-JFC started an annual practice of consulting with each other and reaching out to government to present a unified list of recommendations that the business community believes will lead to inclusive growth. Eventually, the PBG-JFC consultation model became an effective venue in discussing and finding solutions to critical issues of national interest (2015 power reserves gap, Manila port congestion, etc.) The Philippine Congress has actually institutionalized this consultation meeting via twice a year meetings to align legislative priorities. Nevertheless, despite a previous commitment from government to likewise hold quarterly business-executive branch consultations, there have only been two such meetings between the executive branch and the private sector since 2013. This commitment seeks to reinvigorate this consultation and dialogue structure between business and government, and through this achieve the ultimate end-goal of improving public service delivery through constructive engagement between government and the private sector. Main objective is to reinvigorate and institutionalize government and business sector collaboration through regular dialogues, and alignment of priorities.

Relevance - The commitment is relevant to advance the OGP values of public accountability and civic participation. The establishment of this 35 platform for public-private collaboration and dialogue seeks to guarantee consistent implementation of policies; advocate for needed economic, social, and political reforms; and ensure adherence to commitments made either by government or the private sector. The proposed joint public-private secretariat gives the private sector the necessary space to take and an active and direct part in agenda-setting and policy formulation. Meanwhile, the regular and formal meetings between government and the business community holds government accountable to stakeholders with regard to their development and legislative agenda.

Ambition - The intended result is for government and the business sector to have a venue for dynamic and continuing collaboration and dialogue, wherein the priorities of both parties are aligned, the private sector takes an active part in policy formulation, both the public and private sectors adhere to their commitments--all of which can ultimately lead to improved public service delivery.

Responsible institution: Department of Finance

Supporting institution(s): Economic Development Cluster of the Cabinet; Makati Business Club, Philippine Business Groups-Joint Foreign Chambers (PBG-JFC)

Start Date: 1 July, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
12. Overall		X			Unclear					X			No		X		
12.1. Dialogue secretariat			X		Unclear					X			Yes			X	
12.2. Economic development priorities			X		Unclear						X		Yes			X	
12.3. Report on Public-Private High Level Dialogues		X			Unclear					X			No	X			
12.4. Private sector discussion and monitoring		X			Unclear					X			Yes	X			
12.5. 2 Regional fora on local issues		X			Unclear						X		Yes		X		
12.6. CSO/stakeholder involvement in discussion		X			Unclear						X		Yes		X		

CONTEXT AND OBJECTIVES

With millions of Filipinos continuing to live in poverty¹, inclusive growth in the country remains a challenge. The private sector plays a part in propelling the economy and hence is a critical partner of the government in development. The commitment aims to reinvigorate and institutionalize government and business sector collaboration through regular dialogue and alignment of priorities tapping an existing structure of business collaboration, the Philippine Business Groups - Joint Foreign Chambers (PBG-JFC) representing 2,933 companies and members of the private sector.

The commitment is relevant to one of the OGP Challenges: Increasing Corporate Accountability, particularly enhancing the responsibility of the business sector's responsibility on inclusive growth. However,

the commitment's relevance to any of the four OGP values is unclear since civic participation does not include business, no public information is being made accessible and the commitment does not involve use of ICT.

The commitment aims to establish a joint public-private secretariat that will organize and support the regular dialogues, organize meetings among the heads of the PBG-JFC and cabinet's economic development cluster to discuss priority issues and recommendations, publish one assessment report on the Public and Private Sector High Level Dialogues, facilitate discussion of local partners and affiliates of PBG-JFC on pressing issues, formulate solutions and monitor progress and engage various industry associations and other stakeholders, especially CSOs and people's organizations (POs), in the discussion of pressing issues relevant to the business sector.

The specificity of this commitment is low. The manner of establishing and formalizing the secretariat and the number of meetings and discussion to be organized by both DoF and the JBG-JFC are not clear. If completed, the potential impact is minor given the lack of clarity of the kind of agenda and changes to be discussed.

COMPLETION

The level of completion for this commitment is limited. PBG-JFC formed the secretariat to convene the high-level public-private sector dialogues in August 2015, but this was not formalized. Two high level dialogues were convened in October 2015 and April 2016. No details can be secured about these meetings because it was difficult to get in touch with the focus person of this commitment in the DoF, a feedback that was also shared by DBM and MBC.

PBG-JFC organized a roundtable discussion with industry players (agriculture, garments and footwear, pharmaceuticals, and motor vehicles) to discuss concerns and recommendations regarding trade and investment liberalization/trade agreements in 2016. PBG-JFC has yet to undertake the engagement at the local level.

The Self Assessment Report states that the PBG-JFC secretariat has initiated discussions on convening the High Level Dialogues under the new administration. This will be in line with the commitment of the DoF to convene one more meeting within the year.

EARLY RESULTS (IF ANY)

Roxanne Lu, who heads the PBG-JFC secretariat in the Makati Business Club, finds the dialogue to be useful in resolving governance and policy issues between government and the business sector². A report by PBG-JFC shows that around 27 percent of their total number of recommendations from 2013 to 2015 have been sufficiently addressed, with 39 percent already being acted upon through adoption or implementation, indicating a good level of effectiveness of the PBG-JFC secretariat. How supportive are these recommendations to advancing inclusive growth is a valid point of inquiry.

NEXT STEPS

The relevance of this commitment to OGP values is not very solid, though it may respond to one of the OGP challenges, enhancing corporate accountability. If this is to be included in the next action plan, its relevance to OGP has to be sharpened. The IRM Researcher recommends that for this commitment to more sharply contribute to enhancing public accountability, it should target achieving the response of government to specific public issues affecting the economy and development put forward by the private sector. It is also important for the government to cooperate and take part in the public-private dialogues. Such a space is a good venue to discuss issues affecting business and economic development and in galvanizing needed support from private sector. This also ensures transparency, accountability, and inclusiveness in policy- and program direction of the government.

¹ Philippine Statistics Authority (PSA) reported in March 2016 that the incidence of poverty in the country is at 26.3 percent as of 2015.

² Roxanne Lu, Director-Programs and Projects Unit and Maane Cauton, Makita Business Club (MBC) (MBC). Interview on 12 October 2016 at MBC Office.

13 | INTEGRITY INITIATIVE ON CORPORATE ACCOUNTABILITY

Commitment Text:

Public sector corruption will not thrive without the participation of the private sector. Many companies in the Philippines bribe government officials in order to win government contracts or expedite government processes. The Integrity Initiative was launched in December 2010 to help create a culture of integrity within both the public and private sector. After more than four years, over 3,000 corporations, government agencies, and non-profit organizations, have signed an Integrity Pledge where signatories commit themselves and their respective organizations not to engage in bribery and other unethical business practices. However, this remains to be a small proportion of the total number of corporations/organizations in the country. In order to expand this number significantly, government as a whole must come out with specific policy issuances that will encourage organizations to sign the Integrity Pledge, as some government agencies and even government owned corporations (e.g. Department of Public Works and Highways, Department of Education, PEZA, Subic Bay Management Authority, Clark Development Corporation, John Hay Management Corporation and Development Bank of the Philippines) have done. The main objective is to institutionalize public and corporate accountability, integrity, and transparency by cultivating through the promotion of common ethical and acceptable integrity standards by the public and private sector. Relevance - This commitment is relevant in promoting Public Accountability and Civic Participation. This collaborative effort between the government and the business sector aims to: a) provide incentives for good corporate behavior; and b) create a mechanism through which the private sector can seek redress and/or remediation of integrity issues both in the public and private sectors. Government will play a crucial role in recognizing entities that will follow OGP principles and observe the highest ethical standards in dealing with the public sector.

Ambition - This initiative seeks to significantly expand the number of organizations that sign the Integrity Pledge. These organizations will be required to implement strict integrity management programs themselves. It is hoped that signing the Integrity Pledge will become a requirement in private sector participation in government procurement activities, thereby increasing public sector integrity and safeguarding public resources.

Responsible institution: Integrity Initiative, Inc.

Supporting institution(s): Department of Budget and Management/Government Procurement Policy Board. Makati Business Club, Philippine Business Groups-Joint Foreign Chambers (PBG-JFC)

Start Date: 1 August, 2015

End Date: 31 December, 2017

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE (as written)				POTENTIAL IMPACT				ON TIME	COMPLETION			
	None	Low	Medium	High	Access to Information	Civic participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative		Not started	Limited	Substantial	Complete
13. Overall			X		Unclear						X		No		X		
13.1. Policy to support integrity initiative			X		Unclear					X			No		X		
13.2. Integrity Pledge signatories			X		Unclear							X	Yes		X		

CONTEXT AND OBJECTIVES

A report released by the Commission on Audit in 2011 states that the government lost P101.816 billion to graft and corruption in 2011¹, while Global Financial Integrity (GFI) reported that between 1990 and 2011 alone, the government lost \$23 billion (USD) or P1 trillion (Philippine Pesos) in tax revenues. According to the Financial Transparency Coalition, the private sector plays a big part in feeding public sector corruption through bribery and fraud².

Corruption is a complex issue. Self-policing of the private sector can have an incremental impact in minimizing corruption. This can have greater impact coupled with measures that strengthen the capacity of the government to implement anti-corruption laws and regulation.

The commitment aims to institutionalize public and corporate accountability, integrity, and transparency through the Integrity Initiative, which aims to cultivate and promote common ethical and acceptable integrity standards in the public and private sector. This commitment is relevant to one of the OGP Challenges, which is Increasing Corporate Accountability. The commitment is not immediately relevant to any OGP values. However, with an additional component involving actions taken on integrity issues that surface through the Integrity Initiative, it can be considered contributing to public accountability. At present, this component does not exist yet.

To achieve the set objective through OGP, this commitment aims to enlist 3,000 and 5,000 Integrity Pledge signatories in 2015 and 2016, respectively, and to work on the issuance of a policy in support of the Integrity Initiative. Being signatory to the Integrity Pledge entails being covered by the Integrity Management Certification System that assesses practices of integrity by businesses.

The specificity of this commitment is low. The objective, to cultivate and promote common ethical and acceptable integrity standards in the public and private sector, is too broad that its target deliverables will not be sufficient for achieving it. Also, it is not specified whether the target signatories in the Integrity Pledge are new signatories. The policy it is aiming for is also unclear because the government cannot oblige the private sector to sign any pledge initiated by the private sector.

COMPLETION

The level of completion of this commitment is limited. Several advocacy and outreach events took place to support the achievement of the target, such as the Integrity Summit 2015, the Special Forum on Philippine Open Procurement Process in February 2016 and the Conduct of On-Air Special Integrity Forum in March 2016. However, the target signatories have not been reached. Only 2,636 out of the target 3,000 signatories in 2015, and 3,755 out of 5,000 in 2016 have been

generated. According to a staff member of Integrity Initiative interviewed for this report³, one factor is limited regional engagements, which they aim to accomplish this year, and the absence of supporting policy, which they deem to be pivotal in getting more uptake. The DBM has yet to issue a policy in support of the Integrity Initiative. The specific policy on Integrity Initiative was still under review before the end of the last administration. However, some parameters of the Integrity Initiative have been incorporated in the procurement requirements of the Government Procurement Policy Board (GPPB) and the leaders of Integrity Initiative have been attending the Regional Working Group on Business Integrity in ASEAN that takes the lead in promoting business practices that observe transparency and integrity. There are also other complementing efforts, such as partnership with CSR Philippines on voluntary tax compliance

EARLY RESULTS (IF ANY)

The most remarkable early results of this initiative are the willingness of a good number of private sector players to be subjected to integrity standards. The presence of this set of standards is a milestone that

can further be built on to achieve more systemic gains, such as policies that will link compliance to those standards with standing as service providers in government procurements. The inclusion of an 'integrity pledge' as a requirement to bidders provided in the revised Implementing Rules and Regulation (IRR) of the Government Procurement Reform Act (GPRA) can also be attributed as early results of this initiative.

NEXT STEPS

If this is to continue, the relevance of the deliverables to OGP values should be tightened. For instance, a deliverable can focus on actions taken on integrity issues which surfaced through the certification system. This will clarify the accountability dimension of this commitment. It is also promising to continue the intention to target individual professionals, including those in public service.

¹ Commission on Audit. Special Audits Office Report No. 2012-03: PDAF and VILP, 2007-2009. 16 August 2013. Accessible here: <http://www.gov.ph/2013/08/16/special-audits-office-report-no-2012-03-pdaf-and-vilp/>

² Philippines lost \$142 billion in Illicit Financial Flows between 2000 and 2009, Global Financial Integrity Finds. Available at: <https://financialtransparency.org/philippines-lost-142-billion-in-illicit-financial-flows-between-2000-and-2009-global-financial-integrity-finds/>

³ Cauton, Maane, Integrity Pact-Makita Business Club (MBC). Interview on 12 October 2016 at MBC Office, Makati City.

IV | COUNTRY CONTEXT

The Philippines held a general election in May 2016 for executive and legislative branches at the national, provincial, and local levels (barangay officials excluded). Since the sitting president, Benigno Aquino, was unable to run for re-election due to term limits, this election was a defining factor in shaping the context of Open Government Partnership (OGP) action plan implementation in the Philippines. The priorities of the stakeholders of OGP centered on deepening public and citizen engagement as well as other new agenda in light of the opportunities and challenges under the first new administration for OGP in the Philippines. The action plan is broad in the sense that it includes all the key existing open government programs and initiatives. It is still limited, however, in making use of the open government platforms, approaches, and tools to address key substantive issues that were most crucial in the lives of Filipinos during this period.

Political scientists have described the Philippines as a Weak State¹ with weak institutions². Enforcement of laws and administration of justice is perennially challenging. The bureaucracy faces consistent pressures from vested interests advanced by a powerful few that have been in power for decades as dynasties fueled by patronage and money politics. Politicians view public office as a means for private gain.

Alongside the concentration of power at the top are the continuing struggles and contestation of movements, people's organizations, and civil society forces that have been active since the colonial period (1521-1946). The Philippines is known for having a vibrant and diverse civil society that plays varied roles in governance and politics. This is well supported by the country's Constitution, adopted after the end of a 17-year dictatorship in the 1980s, that provides space for people's participation at the national to community levels.

The administration of President Benigno Aquino pushed participatory governance further with its numerous efforts to open government, make governance transparent, and provide space for participation as part of its campaign promise. The consistent increase in the country's GDP growth rate and business investment standing over the past three to five years has been attributed to the good governance efforts of the Aquino government³.

In June 2016, the six-year term of Aquino Administration ended. The continuation and sustainability of the numerous good governance programs became one of the major concerns of those in the Cabinet and the stakeholders of these programs⁴. Meanwhile, given that the first year of the implementation of the third action plan, from May 2015 to June 2016, was during an electoral period, focus on OGP activities and the government's other good governance programs were eclipsed by controversies surrounding the presidential campaigns and electoral activities.

As in the past electoral seasons, it was a busy period filled with news that could be disruptive to everyday governance, with candidates' teams throwing controversies at each other. The government was on the defense for issues thrown against the standard bearer of former President Aquino's Liberal party, Mar Roxas, which included:

- Worsening traffic in the Metro Manila area;
- The botched police operation (Mamasapano Massacre) that turned popular opinion against peace talks with Muslim separatists⁵;
- Unresolved issue of 'laglag-bala' (extortion) in the airport⁶;
- Continuing controversies surrounding public funds from the Disbursement Acceleration Program (DAP)

being used as bribes for senators⁷;

- Alleged partisanship in adjudication of corruption cases;
- Killing of Lumad (indigenous persons) in Mindanao in late 2015⁸;
- Violent dispersal of protesters, mostly farmers, demanding relief for the drought caused by El Nino in Kidawan in Southern Philippines;
- International reports that ranked the Philippines as one of the most dangerous countries for journalists.⁹

During this period, other than election-related headlines, the other key issues were Congress' deliberation of the Bangsamoro Basic Law (BBL), which is part of the peace agreement that the government entered into with the Moro Islamic Liberation Front (MILF) to end decades of war waged by the Moros in Mindanao to fight for their right to self-determination. The BBL, a priority legislative agenda of the Aquino Administration, was not signed into law - to the frustration of peace advocates nationwide.

The Office of the Ombudsman (OMB) was also very active during this period, filing charges and releasing suspension orders against national and local officials found guilty or with probable cause of corruption or abuse of authority. One of the biggest and most controversial actions that the OMB took was a preventive suspension order against the son of then-vice president and presidential candidate, Jojo Binay, for a multibillion-peso corruption case. However, the challenge was to ensure the orders and charges filed by the Ombudsman were carried out. For instance, it was during this period in August 2015 when the Supreme Court, citing old age¹⁰, released one of the biggest politicians allegedly involved in the Napoles pork barrel scam¹¹, who was initially arrested upon the order of the Ombudsman.

Two laws relevant to open government that were passed during this period included the Sangguniang Kabataan (SK)¹² Reform Act and the formation of the Department of Information and Communication Technology (DICT). Passed in January 2016, the SK Reform Act sought to strengthen and democratize meaningful participation of youth at the community level, while the DICT is a new

government entity tasked with harmonizing ICT use in the public sector. One particularly significant feature of the SK Reform Act is its anti-dynasty provision, which advocates believe could pave the way for the passage of an anti-dynasty law, that aims to regulate concentration of power in the hands of a few families. Meanwhile, DICT is particularly significant for open government since it will serve as the new institutional house of Open Data Philippines.

The Philippines held a general election in May 2016, in which Filipinos elected the former Mayor of Davao City, Rodrigo Duterte, on a law and order platform¹³. On the one hand, the new administration has shown its support to open government in the early period of its administration through its passage of an executive order on freedom of information and the launch of a revitalized citizen feedback platform called 8888¹⁴. The new Secretary of the Department of Budget and Management, Benjamin Diokno, also committed to continued engagement with OGP¹⁵.

On the other hand, Bottom-up-Budgeting (BuB), an OGP awardee and a flagship open government program of the previous administration, has been discontinued. Additionally, other key programs, such as Open Data and the Extractive Industries Transparency Initiative (EITI), have yet to be completely re-activated under the Duterte administration. Another major challenge to the administration's commitment to accountability and rule of law is how it will act on the incidents of killings in its anti-drug campaign, which according to police figures is already at 4,715 as of 25 October 2016¹⁶. The attempt of the Philippine Center for Investigative Journalism (PCIJ) to access official documents on these killings using the FOI executive order is a demonstration of how the open government platform can be used to address this human rights and justice issue. This request has yet to be fulfilled as the time of writing, indicating the weakness of the Executive Order at present.

STAKEHOLDER PRIORITIES

Improving citizen use of data was the most frequently mentioned priority across all the stakeholders. Marianne Fabian, of the DBM, mentioned the need to "bring the OGP action plan to citizens"¹⁷. Respondents from Makati Business Club (MBC)¹⁸,

National Competitiveness Council (NCC)¹⁹, Department of Interior and Local Government (DILG)²⁰ and Open Data²¹ all acknowledge the need to improve public utilization of data and enhancing demand from citizens of information from government. Eleonora Gretchel Silli, of the Department of Social Welfare and Development (DSWD)²², shared the experience of KALAHIs Municipal Talakayan, which “highlights the utilization of available local data and statistics to measure collective accomplishment and detect remaining development needs”. Meanwhile Bantay Kita’s Tina Pimentel²³ shared how their application of Open Data involved engaging communities and citizens themselves in identifying what information is important for their advocacies. Both, however, acknowledged that good practices in the use of data could still be broadened to cover other issues and programs.

In relation to the clamor for improved use of data, many of the stakeholders (respondents from MBC, NCC, ANSA,²⁴ Open Data) also mentioned the need to improve the public reach and communication of OGP and open government initiatives. “The challenge is how to make OGP relevant to citizens,” as former OGP-PH point-of-contact Patrick Lim shared²⁵. Michelle Manza of Open Data said that there is also big room for improvement on the supply side: what types of information are being made available, whether these are useful for citizens and stakeholders, and whether the information is presented in a way that is accessible and easy-to-understand.

The other priority mentioned by stakeholders was how to deepen the engagement of citizens and CSOs through the OGP, i.e., how to make it strategic and how to ensure it results in improved governance responsiveness and accountability. Czarina Medina, of the Union of Local Authorities in the Philippines (ULAP), mentioned the need to “teach CSOs to engage in a deeper way” and strategically use available information²⁶. The need to improve strategic thinking in public reforms was backed by Dr. Francisco Magno of Jesse Robredo Institute of Governance (JRIG)²⁷. “The missing element are think tanks that will use data” for strategic intervention and appreciation of strategic thinking as a public good, Dr. Magno said. Both the Lugxi Silli DSWD-KALAHIs and Ian Hecita of JRIG see a big potential benefit in improving how OGP-PH

measures and assesses participation in providing a “roadmap” towards CSO empowerment, which could improve the effectiveness and depth of CSO participation.

DILG respondents, meanwhile, shared that while they conducted training on CSO monitoring in the Bottom-up-Budgeting, there was no follow-up on monitoring results, making it difficult to determine if the government responded to the report findings or if CSOs conducted monitoring at all. The same gap was acknowledged by Edward Gacusana, of the Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP), who said that it would be useful to check how many of the recommendations put forward through the Citizen Participatory Audit (CPA) were acted upon and whether the actions improve systems and policies.

Respondents from INCITEGov²⁸, DILG, JRIG and ULAP, as well as Patrick Lim, mentioned the need to reaffirm meaningful participation of citizens and communities in the budget as a commitment in the OGP.

The passage of the Freedom of Information (Fol) has also been repeatedly identified as a priority by a number of respondents. Michelle Manza, of Open Data, said that even with the executive order of Fol, a Fol law is still very crucial because Open Data and Fol complement each other. Others (MBC and EITI²⁹ respondents) see the Fol as crucial in making open government a culture or way of life in the bureaucracy.

Several new issues and agenda have been identified as priorities by the stakeholders interviewed, partly in light of the change in administration:

- ensuring participation in the charter change debate,
- how to constructively use open government platforms to advance justice reform and human rights protection,
- How to ensure decades of experience in local governance under the Local Government Code of 1991 is considered in the debate on the shift to Federalism, and
- Harmonization of the different performance assessment tools (Seal of Good Local Government, Competitiveness Index, Anti-Red Tape Report Card

Survey, Citizen Satisfaction Index Survey and others) to improve efficiency in the gathering and use of data.

SCOPE OF ACTION PLAN IN RELATION TO NATIONAL CONTEXT

The action plan is broad in a way that it contains all the major open government platforms and programs of the Aquino Administration. It also includes programs that directly address improvement of access to basic services and anti-poverty assistance through citizen participation and feedback (ARTA-RCS, BuB and KALAHI), as well as initiatives that use information to improve accountability on substantive issues, such as in extractive industries (EITI) (Commitment 4: Attain EITI Compliance), corporate governance (Commitment 13: Improve Corporate Accountability/Integrity Initiative) and competitiveness (Commitment 11: Improve Local Government Competitiveness).

However, it is still narrow if assessed against the other substantive issues and advocacies that can make use of open government platforms, approaches and tools. Some of the issues that came out in the headlines in the past 18 months include: food security and agriculture, the peace process, indigenous persons' rights, media freedom, charter change, human rights and justice reform. It is a challenge to address all these concerns using open government platforms, approaches and tools, but this could be how the OGP and open

government improve their public relevance and use. After all, just as pointed out by the stakeholders, the main limitation of the programs and initiatives in the OGP action plan is how minimally these platforms, data and programs are utilized by citizens and civil society in a meaningful and effective way.

The period of the first year of implementation of the third action plan, as described earlier, was election season. The relevance and presence of PH-OGP during this period was not evident in the news. One challenge in the election was the reliability of information being used for the campaigns. This was not taken up as an opportunity for PH-OGP to make use of the data pool that it has gained from various initiatives, such as information on the performance of programs, local governments, and politicians. As an initiative with multi-sectoral representation across sectors and geographic regions, its data pool should have been considered as an objective and reliable source of information.

During this period as well, the Ombudsman was very active in reprimanding government officials involved in malpractice and corruption, as mentioned above. The OMB needed support in following up its decisions and avoiding them being overturned. Again here, on a crucial relevant issue, PH-OGP was irrelevant. None of the current commitments can immediately respond to the need for anti-corruption efforts, which indicates the limit of the scope of the action plan, particularly when it comes to ex-post facto accountability and justice administration.

¹ Migdal, Joel (1988). *Strong Societies, Weak States*. Oxford: Princeton University.

² Hutchcroft, Paul and Joel Rocamora (2003). *Strong Demands and Weak Institutions: The Origins and Evolution of the Democratic Deficit in the Philippines*. *Journal of East Asian Studies*. Vol 3 No. 2 (May-August 2003).

³ Foreign leaders respect Philippines's good governance. Available at: <http://www.philstar.com/headlines/2016/03/16/1563415/foreign-leaders-respect-philippiness-good-governance-noy>; <http://www.gov.ph/aquino-administration/>

⁴ Mangahas, Malou (2014). *Independent Reporting Mechanism: The Philippines Progress Report 2013-2015*.

⁵ Mamasapano Encounter was a botched up police operation that occurred on 25 January 2015 that left 68 people dead, including 44 members of the elite Special Action Force (SAF). The incident led to a public outcry that turned popular opinion against any peace settlement with the Muslim secessionist Moro Islamic Liberation Front (MILF).

⁶ "Laglag-bala" literally means bullet dropping. It is an alleged scheme wherein airport personnel would plant live bullets on a passenger's luggage as a means of extortion. At least 35 cases involving laglag-bala were recorded from September to November 2015.

⁷ Disbursement Acceleration Program (DAP) was a policy of the Aquino administration that is supposed to encourage the efficient utilization of government resources by allowing the transfer of funds from non- or poorly performing agencies to well performing agencies. Critics of the previous administration, however, allege that the DAP was used to bribe senators during the impeachment of former Supreme Court Chief Justice Renato Corona.

⁸ Attacks on the Lumad of Mindanao. Available at: <http://www.rappler.com/nation/105847-timeline-attacks-lumad-mindanao>

⁹ Philippines second most dangerous country for journalists in past 25 years. Available at: <http://globalnation.inquirer.net/135916/ph-2nd-most-dangerous-country-for-journalists-in-past-25-years-ifj>

¹⁰ Supreme Court's decision to grant Enrile's bail. Available at: <http://www.philstar.com/headlines/2015/08/20/1490224/full-text-supreme-courts-decision-grant-enriles-bail>

¹¹ This refers to the corruption case that came out of a special report by the Commission on Audit released in 2012. See: Commission on Audit. *Special Audits Office Report No. 2012-03: PDAF and VILP, 2007-2009*. 16 August 2013. Accessible here <http://www.gov.ph/2013/08/16/special-audits-office-report-no-2012-03-pdaf-and-vilp/>

¹² Sangguninang Kabataan or Youth Councils are mechanisms for youth participation in governance formed at the community level. Every Youth Council consists of 6-7 youth members elected by the community's assembly of youth.

¹³ Philippines president Rodrigo Duterte urges people to kill drug addicts. Available at: <https://www.theguardian.com/world/2016/jul/01/philippines-president-rodrigo-duterte-urges-people-to-kill-drug-addicts>

¹⁴ citation needed

¹⁵ citation needed

¹⁶ citation needed.

¹⁷ Fabian, Mariane, Department of Budget and Management (DBM). Interview on 10 October 2016 at DBM Office, Manila.

¹⁸ Roxanne Lu, Director-Programs and Projects Unit and Maane Cauton, Makita Business Club (MBC) (MBC). Interview on 12 October 2016 at MBC Office.

¹⁹ Focus Group Discussion, National Competitive Council (NCC) Staff. Held on 12 October 2016 at NCC Office, Makati City.

²⁰ Focus Group Discussion, Department of Interior and Local Government (DILG) Officials. Held on 24 October 2016 at DILG Office, Quezon City.

²¹ Manza, Michelle, Open Data - Department of Information and Communications Technology (DICT), Interview on 4 November 2016 at DICT Office, Makati City.

²² Silli, Eleonora Gretchel, Monitoring and Evaluation Office, KALAH-CIDDS NCDDP PMO-Department of Social Welfare and Development (DSWD). Interview on 3 November 2016 at KALA-HI-DSWD Office, Quezon City.

²³ Pimentel, Tina, Bantay Kita. Interview on 18 November 2016 at Bantay Kita Office, Quezon City.

²⁴ Gacusana, Edward, Manager, Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP). Interview on 25 October 2016 at COA Office, Quezon City.

²⁵ Lim, Patrick, former Point-of-Contact, Department of Budget and Management (Currently with InciteGov). Interview on 24 October 2016 in Quezon City.

²⁶ Medina-Duce, Czarina, Executive Director, Union of Local Authorities of the Philippines (ULAP). Interview on 21 October 2016 at ULAP Office, Mandaluyong.

²⁷ Magno, Francisco Executive Director and Jason Ian Helcita, Jesse Robredo Institute of Governance (JRIG)-De la Salle University (DLSU), Interview on 7 November 2016 at DLSU Campus, Manila.

²⁸ Verzosa, Angelito Niño, International Center for Innovation, Transformation and Excellence in Governance (INCITEGov). Interview on 21 October 2016 in Pasig City.

²⁹ Focus Group Discussion, Extractive Industries Transparency Initiative

(EITI) Team - Department of Finance. Conducted on 3 November 2016 at EITI-DoF Office, Pasay City.

V | GENERAL RECOMMENDATIONS

The Philippines has gone through a political transition in the past 1.5 years, which has defined the scope of the PH-OGP national action plan, its strengths, and its limitations. PH-OGP stakeholders clearly see the need for the PH-OGP commitments to reach out to the public and ordinary citizens, which is a push to make use of OGP approaches, tools and processes in tackling new issues that affect ordinary citizens or are considered headlines, and to make strategic broad consolidated efforts to deepen citizen engagement in the existing commitments.

Below are five general recommendations of the IRM Researcher to strengthen the effectiveness and responsiveness of PH-OGP in improving its responsiveness and accountability in governance and in enhancing its impact on meaningful reforms that make a positive difference in ordinary citizens' lives.

1. Come up with a coherent strategy that will tie up and consolidate all the commitments, actions, and actors into a direction that will bring forth a clear change PH-OGP wants to see after a given period of time.

There will be a need for a longer and structured planning process that involves a diverse range of stakeholders through an open and inclusive process. One feedback shared in this research is the challenge to engage in deep discussion in consultations that involve a broad and diverse set of participants. Open consultations can be one of the processes, but special sessions with targeted participants (thematic experts and/or key stakeholders) to discuss strategic direction and specific evidence-based decisions can also be organized. Ideally, prior studies or data-crunching will be carried out as well to provide the needed data and information that will guide the strategic planning. PH-OGP, for instance, has a great potential to serve as a learning space, but the meetings will have to be designed in a way that will allow deep and useful learning. It is advised that the PH-OGP Secretariat refers to available learning tools and approaches.

Two key questions that need to be tackled in this

strategic direction-setting are: how every commitment/agenda contributes to what change the PH-OGP Steering Committee wants to see in a given period, and how PH-OGP approaches, processes and tools support and contribute to the programs/commitments included in the PH-OGP plan. The latter is crucial because the IRM Researcher observes that the value-added of the OGP in the programs/commitments is not clear to the actors and stakeholders. It mainly serves as a reporting and monitoring platform that provides an "added push" for public officials to meet targets. Going beyond pre-existing government programs and initiatives has to be seriously considered.

2. Explore as a Strategic Theme "Bringing OGP Closer to the Citizens"

The theme "Bringing OGP Closer to the Citizens" seems to resonate with many of the stakeholders and actors of the PH-OGP. The IRM Researcher views this as the next step to the transparency, participation, and accountability (TPA) work of civil society and government in the Philippines. A lot of information has already been made available, many spaces and processes have been opened, and there remains a conducive legal-institutional environment for TPA. The challenge is to bring a broad base of citizenry into these spaces using information to make government responsive and accountable towards sustainable democratic and just change and ensure government responds appropriately.

The following existing commitments can be pushed to their next level through strengthened citizen engagement: Full Disclosure Program, Open Data, City and Municipality Competitiveness Index (CMCI) and Seal of Good Local Governance (SGLG). These programs provide information about local governance that can be useful in addressing everyday issues of citizens.

3. Engage Advocacy/Cause-Oriented Groups and Communities

Still in light of "Bringing OGP Close to the Citizens", broaden the base of those engaging the OGP by

engaging advocacy/cause-oriented groups and communities to explore the use of OGP approaches, processes and tools to address the most pressing national issues and everyday issues confronting ordinary citizens, such as charter change, drugs and crime and the protection of basic rights of the marginalized. Everyday issues of citizens would likely revolve around basic services such as education, health, water, and social services.

4. Lobby for the FOI Law, while Maximizing Open Data and FOI EO

There are key lessons and realizations to be learned from the failure of the past administration to pass a Freedom of Information (Fol) Law. These lessons must be utilized for more effective and motivated efforts to pass the FOI Law. The Fol Law is a cornerstone to a good governance program and strategy. It is a key piece of legislation to sustain transparency and support empowered citizen participation towards enhanced accountability.

The gains from Open Data initiative and the new FOI executive order must be harnessed to start the long process of building a culture of data openness and citizen use of information in the country. The commitment of the new administration to open government and accountability can be harnessed by making use of these available mechanisms to hold it to account to some of its key promises and commitments, including if possible the key national issues confronting the country. The actors and stakeholders advocating for

FOI can be expanded to include those involved in new priority issues and agenda of the government.

5. Strengthen commitments on accountability, particularly engagement of ex-post facto accountability efforts

The PH-OGP Action Plan is generally weak in strengthening accountability, which is arguably one of the main aims of participation and transparency. Accountability refers to both answerability of power (presumably leading to an improvement of performance) and enforcement of sanction (presumably serving as deterrent). It both entails preventive/proactive and reactive/ex-post facto measures.

As noted in the discussion of the context, the Ombudsman has been a significant player in accountability efforts in the country. However, it requires the support to follow-up and sustain pressure on the corruption and/or administrative cases it is filing. It is recommended that the PH-OGP explore new engagement with accountability institutions like the Ombudsman and the Commission on Human Rights on the broader justice reform agenda, as it deepens its existing engagement with the Commission on Audit (CoA).

Meanwhile, the following existing commitments can be pushed to their next level through strengthened accountability efforts: Citizen Participatory Audit (CPA), Bottom-Up-Budgeting (BuB), KC-NCDDP, Integrity Pledge, Public-Private High Level Dialogues.

Top Five "SMART" Recommendations



VI | METHODOLOGY AND SOURCES

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

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

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

Each report undergoes a 4-step review and quality control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of

OGP values through the action plan as a whole

3. Pre-publication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report

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

INTERVIEWS AND FOCUS GROUPS

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

There were 14 key informant interviews and three focus group discussions conducted to gather data and consult stakeholders in preparing this report. The interviews and FGDs delved into the background of the commitments, the accomplishments of the agencies/institutions concerned, the role of the OGP in the development and implementation of the commitments and the recommendations for priorities and room for improvement given the current governance and political context and the government's/agencies' priorities.

Interviews were conducted with the following OGP stakeholders and actors:

1. Mariane Fabian, new Point of Contact, PH-OGP Department of Budget and Management (DBM).

DBM office, 10 October 2016.

2. Roxanne Lu, Director-Programs and Projects Unit Maane Cauton Makita Business Club (MBC), MBC Office, 12 October 2016
3. Maane Cauton, Integrity Pledge, MBC Office, 12 October 2016
4. Czarina Medina-Duce, Executive Director, Union of Local Authorities of the Philippines (ULAP), ULAP Office, 21 October 2016
5. Angelito Niño Verzosa, International Center for Innovation, Transformation and Excellence in Governance (INCITEGov), Pasig City, 21 October 2016
6. Patrick Lim, Former Point-of-Contact, Department of Budget and Management (Currently with InciteGov), 24 October 2016
7. Girlie Zara, LGOO VII, Bureau of Local Government Supervision (BLGS) - Department of Interior and Local Government (DILG), DILG office, 24 October 2016
8. Christie Cecilia Arquiza, ARTA Project Officer, Civil Service Commission (CSC), CSC Office, 25 October 2016
9. Gloria Jose, Director - Project Management Office (PMO), Commission on Audit (COA), COA Office, 25 October 2016
10. Edward Gacusana, Manager, Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP), COA Office, 25 October 2016
11. Eleonora Gretchel Silli, Monitoring and Evaluation Office, KALAHI-CIDDS NCDDP PMO-Department of Social Welfare and Development (DSWD), 3 November 2016
12. Michelle Manza, Open Data - Department of Information and Communications Technology (DICT), DICT Office, 4 November 2016
13. Francisco Magno, Executive Director and Jason Ian Helcita, Deputy Executive Director, Jesse Robredo Institute of Governance (JRIG)-De la Salle University (DLSU), 7 November 2016

14. Pimentel, Tina, Executive Director, Bantay Kita. Bantay Kita Office, Quezon City, 18 November 2016.

Three Focus Group Discussions (FGDs) were conducted, namely:

- With the National Competitive Council (NCC) staff at NCC Office on 12 October 2016

Participants:

- Meirin Negapatan, Program Officer, Ease of Doing Business Task Force-NCC
- Lizamyl Buquid, Program Officer, NCC
- Janine Salazar, Program Officer, NCC
- Ramon Nikko Elnar, Program Officer, NCC

The FGD focused on two private sector commitments: the Ease of Doing Business and the City and Municipality Competitiveness Index (CMCI) commitments.

- With the Department of Interior and Local Government (DILG) staff, DILG Office, 24 October 2016

Participants:

- Anthony Chozco, Planning Officer
- Raynald Kiel Lagmay, Project Evaluation Officer
- Renelyn de Claro, Planning Officer
- Macgy Garcia, MIS Officer
- Michael Medes, MIS Officer
- Adyn Lopez, Assistant Program Manager
- Norman Aparente, Assistant Senior Technical Staff
- Kit Christian Jorinn, LGOO IV
- Anthony Arvin Salazar, Communications Officer

The FGD focused on local governance commitments involving the DILG: the Full Disclosure Program (FDP), the Bottom-Up-Budgeting (BuB) and the Seal of Good Local Governance (SGLG).

- With the Extractive Industries Transparency Initiative (EITI), (EITI) Office - Department of Finance, 3 November 2016

Participants:

- Maria Karla Espinosa, National Coordinator
- Abigail Olate, Technical Manager
- Marikit Soliman, Technical Specialist

The FGD focused on the government perspective on the EITI commitment.

ABOUT THE INDEPENDENT REPORTING MECHANISM

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

The current membership of the International Experts' Panel is

- Hazel Feigenblatt
- Hille Hinsberg
- Anuradha Joshi
- Ernesto Velasco
- Mary Francoli
- Jeff Lovitt
- Showers Mawowa
- Fredline M'Cormack-Hale
- César Nicandro Cruz-Rubio
- Brendan Halloran

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

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

¹ Link to procedures manual

VII | ELIGIBILITY REQUIREMENTS

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

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

Table 7.1 | [Country's] Eligibility Score

CRITERIA	2011	CURRENT	CHANGE	EXPLANATION
Budget transparency ²	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to information ³	3	4	Increase	4 = Access to information (ATI) law in force 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁴	4	4	No change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	4 (9.12) ⁵	4 (8.24) ⁶	No change	Economist Intelligence Unit, raw score 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total/Possible (Percent)	16/16 (100%)	16/16 (100%)	No change	75% of possible points to be eligible

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

² For more information, see Table 1 at <http://internationalbudget.org/what-we-do/open-budget-survey/> as well as <http://www.obstracker.org/>.

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

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

⁵ Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: <http://bit.ly/eLC1rE>.

⁶ Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: <http://bit.ly/eLC1rE>.



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