

INDEPENDENT REPORTING MECHANISM

WHY OGP COMMITMENTS FALL BEHIND

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REPORTING MECHANISM

INDEPENDENT REPORTING MECHANISM (IRM):

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- I | INTRODUCTION..... 3
- II | WHAT DO WE KNOW ABOUT THE IMPLEMENTATION OF OGP
COMMITMENTS? 5
- III | WHAT ARE THE SPECIFIC OBSTACLES TO COMMITMENT
IMPLEMENTATION?..... 8
- IV | ARE THE OBSTACLES TO IMPLEMENTATION DIFFERENT
AT THE ACTION-PLAN LEVEL?..... 13
- V | IS DEDICATED FUNDING FOR OGP IMPLEMENTATION
THE ANSWER? 15
- VI | CONCLUSIONS AND RECOMMENDATIONS 17
- VII | ABOUT THE METHODOLOGY 19



ABSTRACT

INDEPENDENT REPORTING MECHANISM

WHY OGP COMMITMENTS FALL BEHIND

The Independent Reporting Mechanism (IRM) of the Open Government Partnership (OGP) is a key means by which stakeholders can track progress in participating countries. The IRM produces annual reports for each OGP country. Using IRM data on the implementation of OGP commitments, this paper looks to 1) better understand why many OGP commitments are not being implemented, and 2) offer practical recommendations for overcoming the most frequent obstacles to implementation.

The results show that the most common cause of delay is a lack of funding and technical capacity, which contributes to the non-implementation of one of every three delayed commitments. Another important finding is that dedicated funding for OGP implementation is strongly associated with higher rates of completed commitments.

Beyond issues of capacity, the other main obstacles to implementation include poor institutional coordination, lack of political support, discontinuity from one administration to another during political transition, and commitment objectives that are too vague to complete or do not align with the national context. While these obstacles transcend regions and persist across time, a few countries in particular seem to struggle with completing commitments.

To overcome these obstacles, government implementers should clearly specify the lead actors, deliverables and timelines for each commitment, as well as establish funding strategies and align OGP with national priorities. During implementation, establishing interagency working groups and implementation dashboards can further streamline communication across government and improve oversight.

I | INTRODUCTION

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. In pursuit of these open government goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector. As part of their participation in OGP, governments develop two-year action plans in collaboration with civil society organizations. Each action plan contains specific commitments to disclose information, improve citizen participation, and enhance public accountability.

The Independent Reporting Mechanism (IRM) is a key means by which stakeholders can track OGP progress in participating countries. The IRM produces annual reports for each OGP country. In addition to assessing the development and implementation of OGP action plans, these reports aim to stimulate dialogue and promote accountability for results.¹

Despite the growing evidence of important reforms achieved through the OGP framework,² implementation remains a challenge. Only about a third of OGP commitments are fulfilled by the end of each action plan.³ For OGP to make a difference in the lives of citizens, it must address this implementation gap. This paper looks to improve our understanding of the challenges that OGP governments face as they implement open government reforms. Specifically, the two main goals of this paper are to:

1. Identify the most common reasons for the non-implementation of OGP commitments; and
2. Offer practical recommendations for overcoming frequent obstacles during implementation.

Better understanding the common pitfalls during the implementation of OGP commitments can be useful to a wide array of stakeholders. In particular, this practice-oriented paper is geared toward:

- Government actors who help draft or implement OGP commitments;
- Civil society actors who monitor and support the OGP process;
- Multilateral institutions that wish to support governments as they implement open government reforms; and
- Researchers who wish to better understand the dynamics of the OGP process in their country, as well as across the Partnership.

It is important to note that unfulfilled commitments are not failures. OGP's founding documents encourage governments to adopt ambitious and transformative commitments, even if this means that they may not all be implemented in the two-year action-plan cycle. The ideal rate of implementation is therefore a matter of debate. Nonetheless, this paper reveals that many ambitious and relevant commitments are not implemented due to obstacles that can be mitigated, and in some cases, prevented.

The main source of data for this paper is the IRM commitment database, which contains information from IRM reports published between 2013 and mid-2017. Given the relatively short time-frame, this paper is an early assessment of OGP implementation rather than an evaluation of long-term trends. For more information on the methodology of the analysis, please see Section VII.

How the IRM Measures the Implementation of OGP Commitments

One of the key variables assessed by the IRM is the degree to which commitments in OGP action plans are fulfilled (hereafter referred to as “completion”). Based on a close reading of the commitment text, stakeholder interviews, and a desk review of documents, IRM researchers in each participating OGP country assess the completion of commitments using the following scale:

- Complete
- Substantial
- Limited
- Not started
- Withdrawn (officially)
- Unclear (based on government and civil society responses)

The IRM evaluates completion at two stages of the OGP process — after the first year of implementation (i.e. the midterm of the action plan), and at the end of the implementation period (i.e. the end of the action plan). For additional details on how the IRM assesses the completion of commitments, please see the IRM Procedures Manual, available at: <http://bit.ly/2xbIXjm>.

¹ For more information on the IRM and its evaluation process, please see the IRM page on the OGP website, available at: <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

² See *Star Reforms in the Open Government Partnership*, available at: <http://bit.ly/1S73Ezu>. See also “Making Transparency Count: The Open Government Awards,” 7 December 2016, <http://bit.ly/2yDVTmN>.

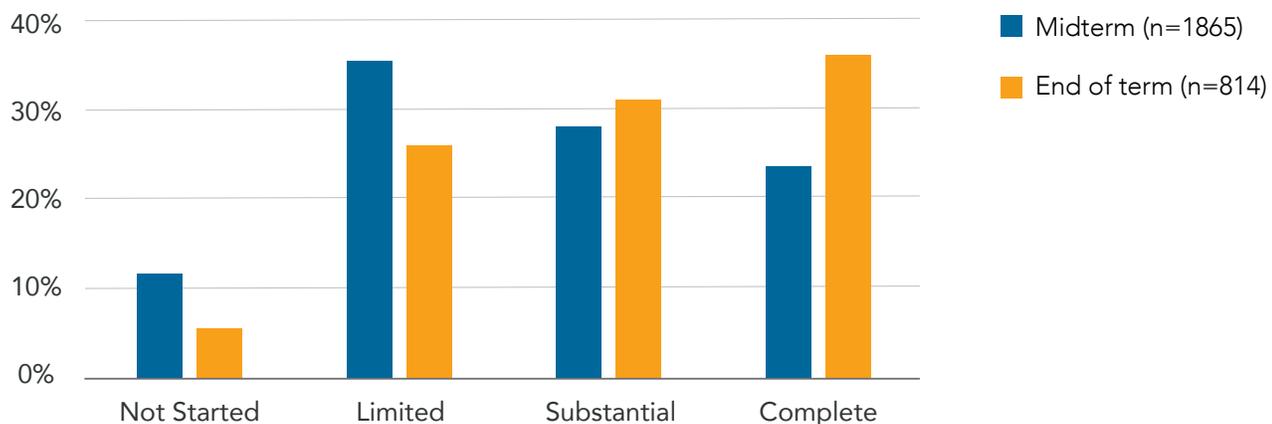
³ See Section II of this paper for more details.

II | WHAT DO WE KNOW ABOUT THE IMPLEMENTATION OF OGP COMMITMENTS?

At the midterm of national action plans, there is little to no progress on roughly half of OGP commitments. The implementation gap has not changed significantly over time and affects all regions in OGP. However, a few countries in particular seem to struggle with completing commitments.

It is important to first understand the major trends in the implementation of OGP commitments before focusing on specific obstacles. This section therefore provides a general overview of the completion of commitments over time and across countries. Figure 1 below, for example, illustrates the level of completion of commitments at both the midterm and close of national action plans.¹

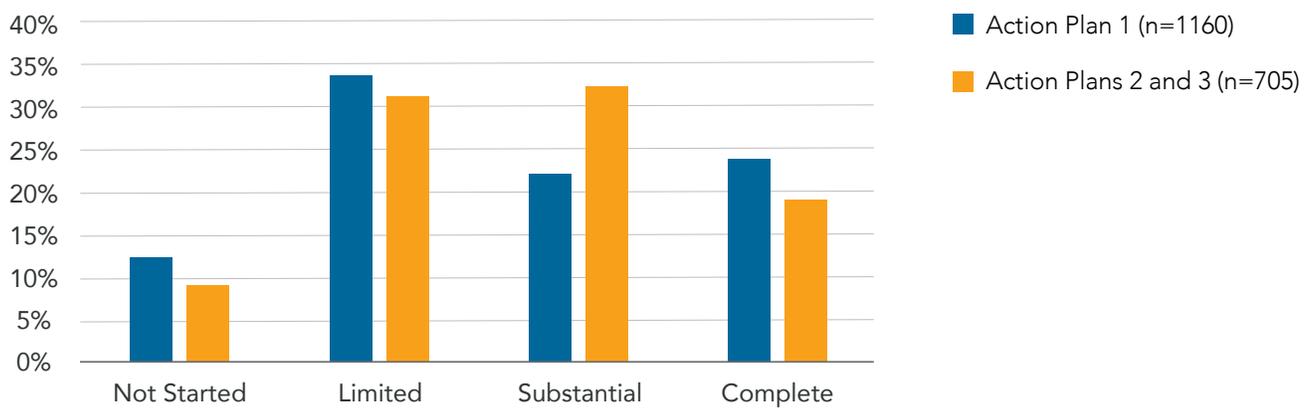
Figure 1 | Level of Completion at Midterm and End of Term



As the chart above makes clear, the non-implementation of OGP commitments is an important challenge. At the midterm of national action plans, nearly half of all commitments have either limited or no progress in implementation. There is improved completion by the end of term, but about a third of commitments are still not substantially implemented. Moreover, only about a third of commitments are fully implemented by the close of the action plan. This suggests that many OGP commitments are going unfulfilled, which provides greater impetus for better understanding why this is the case.

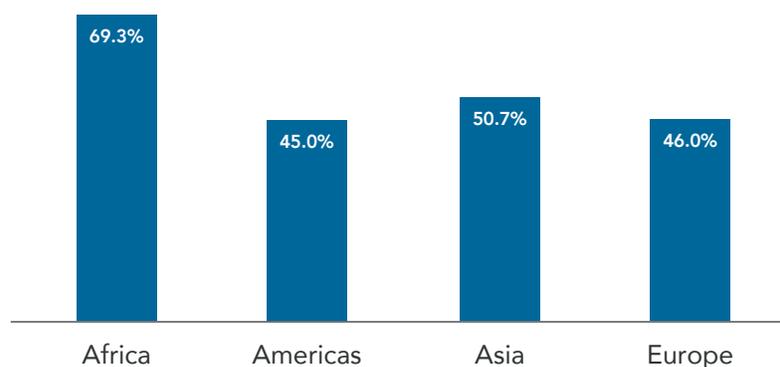
The data also shows that the implementation gap is not changing significantly with time. Figure 2 below maps completion levels of commitments over time. The graph reveals that fewer commitments have limited or no progress at the midterm in the most recent rounds of action plans, and that there has been a slight uptick in the percent of commitments that are either substantially or fully implemented (from 50% to 56%). At the same time, the percentage of completed commitments has actually fallen (from 26% to 21%). The rate of completion appears to be headed in the right direction, though the long-term picture has yet to emerge. As of now, there have been no major shifts in the rates of implementation over time.

Figure 2 | Rate of Completion Across Action Plans at Midterm



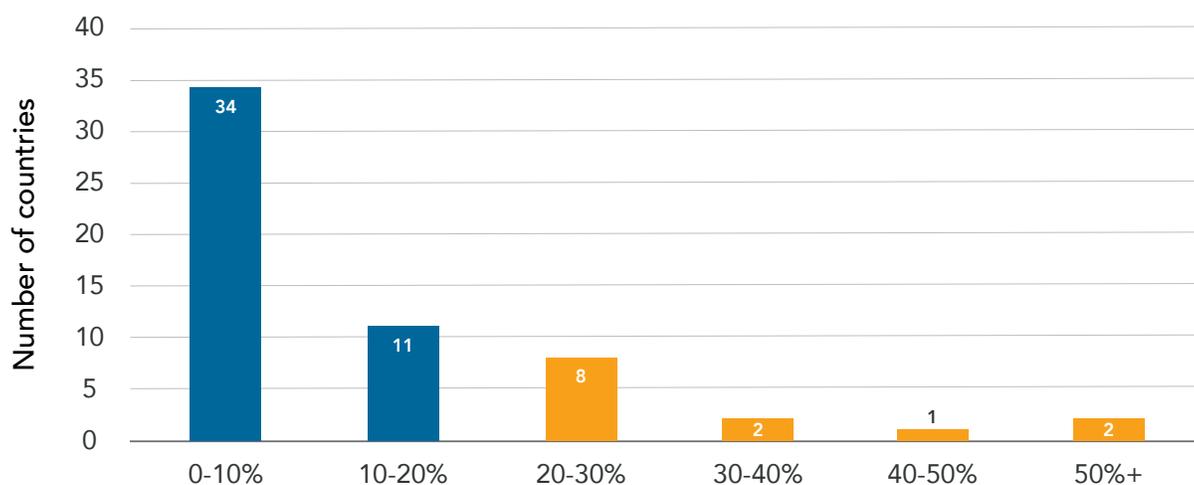
Turning now to the distribution of this implementation gap across regions, a close look only at commitments with limited or no progress at the midterm reveals that the issue of non-implementation is not unique to any particular region. As Figure 3 below demonstrates, Africa has the highest rate of non-implementation, but 45 percent or more of commitments show limited or no progress at the midterm in all four major regions of OGP.²

Figure 3 | Percentage of Commitments with Limited or No Progress at the Midterm Across Regions



While non-implementation seems to be an issue across regions, it is not evenly distributed among OGP-participating countries. Instead, the lowest rates of implementation are concentrated in a handful of countries. As Figure 4 demonstrates, roughly three-fifths of OGP countries have very few commitments without progress (under 10%), while one out of four has many (20% or more).³ If one looks at the raw count of commitments as opposed to percentages, the ten worst-performing OGP countries have more than half of the total number of commitments without progress.⁴

Figure 4 | Distribution of “Not Started” Commitments Across OGP Countries at Midterm



The findings above suggest that the non-implementation of OGP commitments is a serious challenge that exists across regions, yet is concentrated in a handful of countries. The next section dives deeper into a subset of OGP commitments – those with no progress at the midterm – to better understand the specific obstacles that governments face in implementing open government reforms.

¹ Note that the midterm data in Figure 1 goes back to 2012, when the IRM published its first progress reports for the founding members of OGP. The end-of-term data, on the other hand, includes only two cycles of reporting dating back to 2015, when the IRM first began publishing end-of-term reports. Commitments that were coded as either “Unclear” or “Withdrawn” are not included.

² The sample size for this analysis is 1,865 commitments, i.e. all commitments for which there is midterm data available as of the writing of this paper (September 2017). Note that commitments coded as either “Unclear” or “Withdrawn” are not included.

³ Note that as of the writing of this paper (September 2017), there were 74 countries participating in OGP. However, the term “OGP countries” in the text refers to the 58 OGP countries with IRM-assessed commitments for which data was available as of September 2017.

⁴ As of September 2017, there is a total of 231 “Not Started” commitments at the midterm of national action plans. The 10 worst-performing OGP countries (in terms of highest percentage of “Not Started” commitments at the midterm) have 120 (or 52%) of these commitments.

III | WHAT ARE THE SPECIFIC OBSTACLES TO COMMITMENT IMPLEMENTATION?

A lack of funding and insufficient technical capacity are the main stated reasons for unfulfilled OGP commitments. Over time, there are fewer problems with the form of commitments, but issues of capacity and institutional coordination remain.

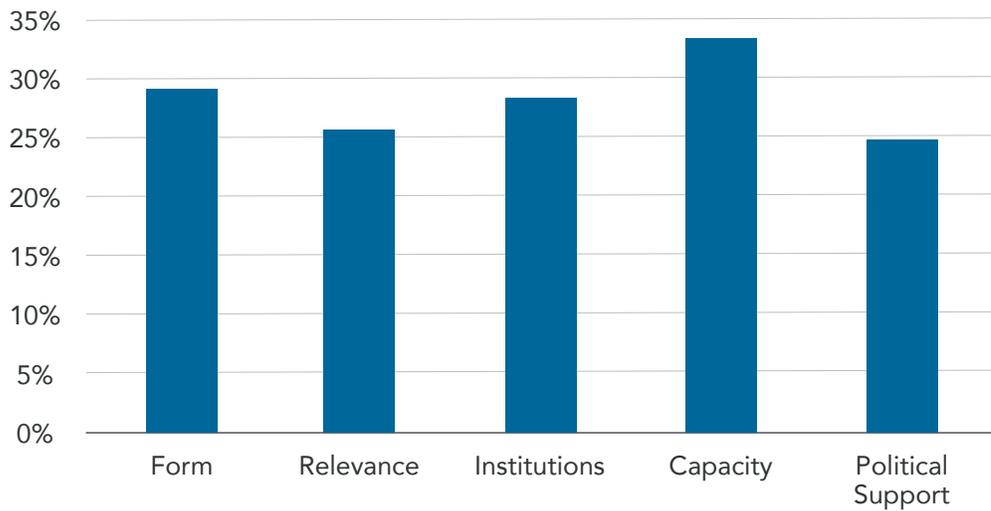
Moving beyond the major trends outlined in the previous section, a commitment-level analysis reveals the specific obstacles that hamper implementation. In a review of “Not Started” and “Withdrawn” commitments (hereafter referred to as unfulfilled commitments), the IRM identified five main challenges during implementation. This analysis is based on a close reading of IRM midterm reports, which include feedback from government and civil society stakeholders, as well as insights from the in-country IRM researchers.¹ Table 1 describes the main challenges.

Table 1 | General Challenges in OGP Implementation

Commitment form	The commitment text is too vague to identify any progress or requires the prior implementation of other commitments.
Commitment relevance	The goal of the commitment is illegal, redundant, or does not fit the country context.
Institutions and coordination	There is no implementing agency or oversight, the implementing agency has no mandate to implement the commitment, or there is insufficient interagency collaboration.
Capacity	There are insufficient funds or technical capacity.
Political support and transition	There is little high-level political support, sometimes due to elections.

OGP commitments suffer from these challenges to varying degrees. Figure 5 on the next page illustrates the percentage of unfulfilled commitments that suffer from each of the five challenges listed in the table above. The chart shows that issues of capacity are the most common obstacle to commitment implementation. One of every three unfulfilled commitments is not implemented for this reason.

Figure 5 | Prevalence of General Implementation Challenges Among Unfulfilled Commitments²



The five general challenges in implementation can be broken down further into 17 specific reasons for non-implementation. These are described in Table 2 below. While there may be other reasons for non-implementation of OGP commitments not captured by this typology, these were the only reasons specifically cited in the IRM reports reviewed as part of this analysis.

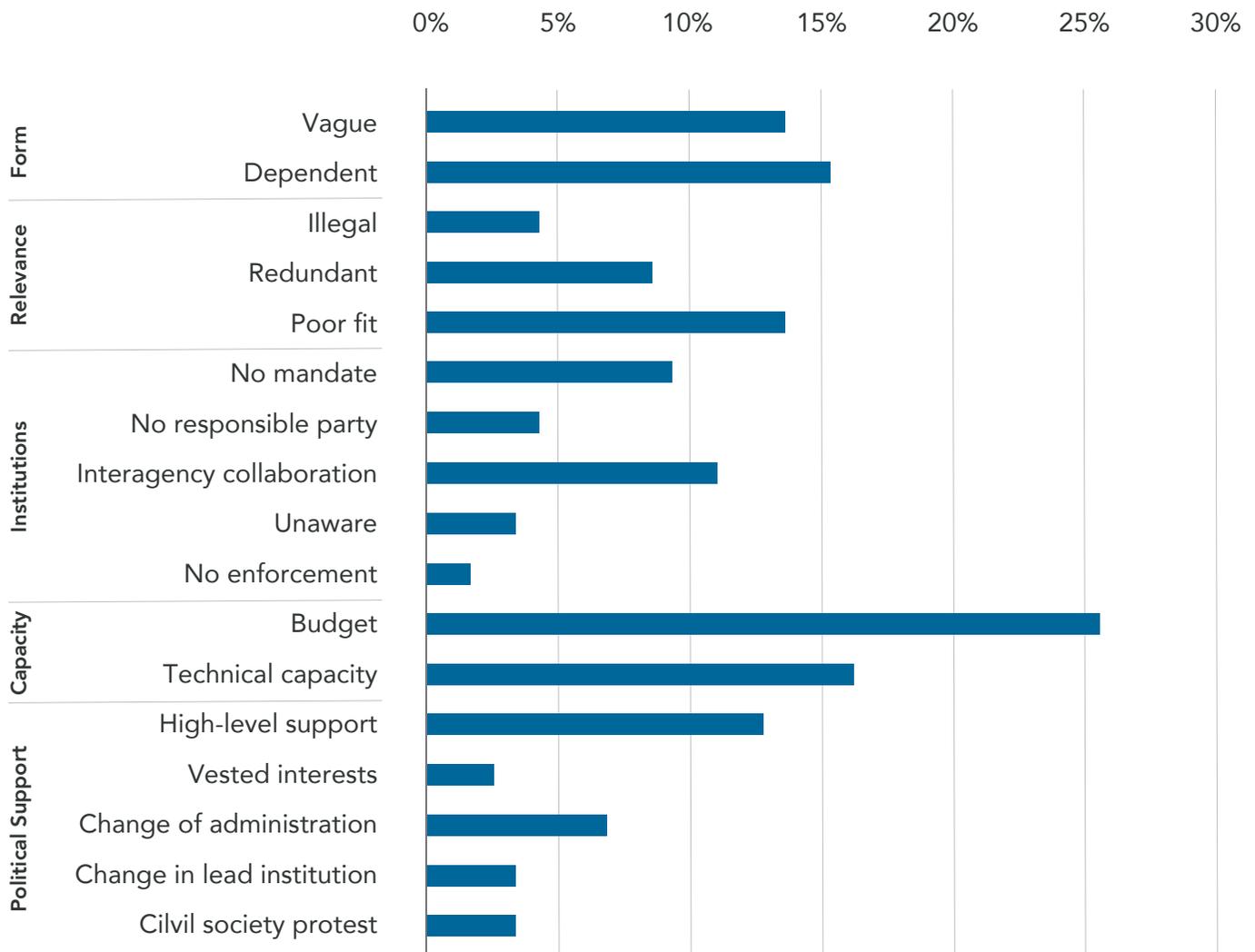
Table 2 | Specific Reasons for Non-Implementation Among Unfulfilled Commitments

Commitment form	
Vague	The commitment text does not list any concrete deliverables or milestones that would allow the IRM to identify progress in implementation.
Dependent	As written, the commitment requires the completion of a separate pending commitment before it can be implemented.
Commitment Relevance	
Illegal	Implementing the commitment would violate pre-existing legislation (such as privacy laws) or require the passage of new legislation.
Redundant	The proposed activities have already been implemented, or are in the process of being implemented by other government institutions.
Poor fit	The commitment was abandoned or not implemented because it did not fit the country's context (e.g. online portals in countries with low rates of internet penetration; budgetary open data in countries with poor records management).

Institutions and Coordination	
No mandate	The commitment's activities do not fall under the implementing institution's scope of work. In some cases, the implementing institution does not have power under the law to implement the commitment.
No responsible party	There is no government institution assigned to the implementation of the commitment.
Interagency coordination	Several government institutions are responsible for implementing the commitment, but there is a lack of coordination between them (e.g. unclear division of labor, non-cooperative institutions).
Unaware	The implementing institution does not know that it was assigned to the commitment.
No enforcement	The lead OGP institution is unable to compel the implementing government institution(s) to implement the commitment (e.g. the national government is unable to compel municipalities to act; the executive branch is unable to compel the legislature to adopt a new law).
Capacity	
Budget	The implementing institution lacks sufficient funds or personnel to fulfill the commitment.
Technical capacity	The implementing institution lacks the technical capacity to fulfill the commitment, or abandoned the commitment due to its technical difficulty.
Political support and transition	
High-level political support	The commitment is abandoned or not implemented because it is not a political priority (e.g. the commitment is out of sync with key strategic documents or legislative agendas, or high-level government officials do not support the implementation of the commitment).
Vested interests	There is resistance to fulfilling the commitment because its implementation would be disadvantageous to political authorities (e.g. some commitments focused on campaign finance, asset disclosure, ethics).
Change of administration	An election or other transition of power leads to a new administration that does not know about the commitment or does not support its implementation. In other cases, the administrative burden of the transition creates delays in implementation.
Change in lead institution	A new lead OGP institution, new implementing institutions, or new government staff do not know about the commitment or support its implementation.
Civil society protest	Civil society organizations are co-implementers of the commitment, but refuse to participate in the OGP process.

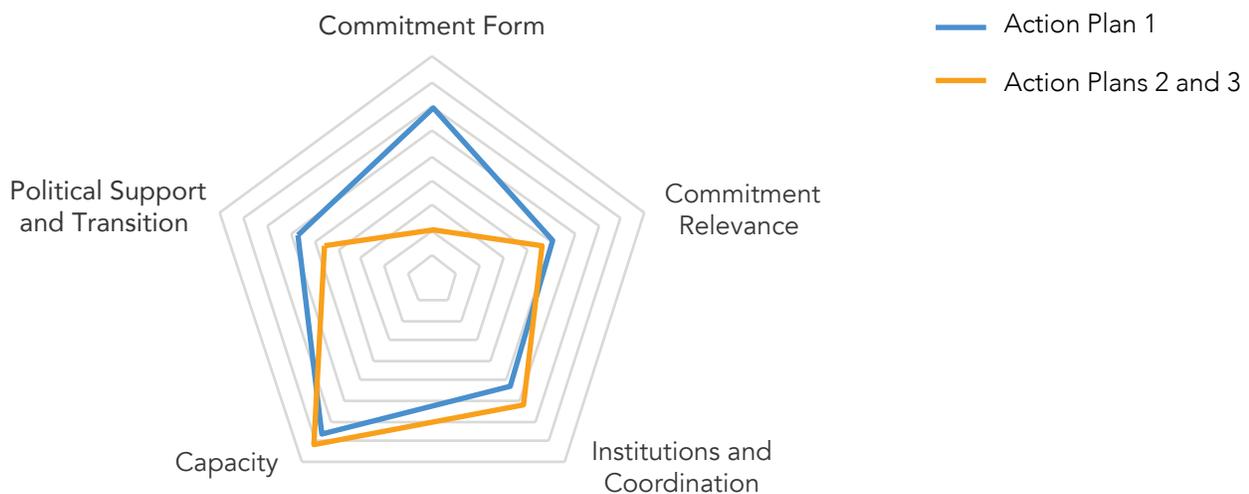
Figure 6 below illustrates the prevalence of these 17 obstacles among unfulfilled commitments. The graph suggests that lack of funding is the main limiting factor to implementation, though it is possible that a lack of high-level political support could lead to limited funding in the first place. The other frequently recurring obstacles include insufficient technical capacity and reliance on other delayed commitments. It is important to keep in mind that these obstacles are not mutually exclusive. Many commitments face multiple challenges during implementation.

Figure 6 | Prevalence of Specific Implementation Challenges Among Unfulfilled Commitments



Interestingly, the reasons for non-implementation have changed over time. As Figure 7 illustrates below, there has been a dramatic decrease in the proportion of unfulfilled commitments that have issues related to commitment form. This makes sense considering that commitments have become increasingly more measurable since the founding of OGP. Indeed, the most recent IRM technical paper confirms that OGP commitments in the second round of action plans are more specific than those in the first round.³ In addition, the OGP Support Unit has continually led workshops and technical trainings to help government stakeholders draft measurable and precise commitments.

Figure 7 | Prevalence of General Implementation Challenges Among Unfulfilled Commitments



While these findings imply that insufficient funding and technical capacity are the primary impediments to the implementation of unfulfilled OGP commitments, several questions remain. For instance, it is unclear if these findings hold for commitments that have a higher level of completion – perhaps commitments with a limited or substantial level of completion face different obstacles during implementation. In addition, further research is needed to better understand the catalysts – rather than just the obstacles – for implementation. While a lack of funding and technical capacity may be the immediate cause of non-implementation, there may be other broad factors that play an important role in determining the outcome of commitments, such as the level of citizen engagement in the OGP process, or the degree of involvement of the office of the executive. The following section looks at the implementation of OGP commitments through a quantitative approach that incorporates these broader factors at the action-plan level.

¹ The method used to identify the challenges is described in greater detail in Section VII of this paper.

² Note that the percentages do not add up to 100% because commitments can suffer from multiple challenges during implementation, i.e. causes of non-implementation are not mutually exclusive. The method of this analysis is described in Section VII of this paper.

³ Joseph Foti, *Beyond the Basics | OGP Action Plans 2012-2015*, Fall 2016, <http://bit.ly/2h0MGK5>.

IV | ARE THE OBSTACLES TO IMPLEMENTATION DIFFERENT AT THE ACTION-PLAN LEVEL?

Budgeting for OGP implementation is associated with higher levels of completed commitments in national action plans. There is no statistically significant association between the level of completion and other factors, such as the presence of a multistakeholder forum, a change in the executive, or the direct involvement of the office of the executive in OGP.

This section uses a quantitative approach to help identify the factors that affect implementation at the action-plan level. The preceding section highlights a lack of capacity as the main stated reason for unfulfilled commitments. This section explores if this finding holds when using national action plans – rather than individual commitments – as the unit of analysis.

The dependent variable tested here is the level of completion of commitments in each individual action plan. For more details on how this variable is operationalized for the purpose of this analysis, please see Section VII of this paper. The independent variables tested in the analysis are described below in Table 3. They are also defined in greater detail in Section VII.

Table 3 | Independent Variables in the Quantitative Analysis

Executive involvement	The involvement of the office of the executive in the leadership of the action plan.
Permanent dialogue	The presence of a multistakeholder forum through which the government consulted citizens regularly during the implementation of the action plan.
Change in executive	A change in the head of state during the implementation of the action plan.
Budget	The existence of dedicated funds for the implementation of OGP commitments, either as earmarked funds for OGP, budgeted OGP activities at the agency level, or otherwise budgeted OGP activities.

A simple linear regression analysis reveals that the existence of a budget for OGP implementation is associated with higher levels of completed commitments. The regression results in Table 4 on the next page show the relationship between the binary *Budget* variable and the rates of completion of 39 different national action plans.¹ In a multiple linear regression, the other dependent variables listed in the table above do not exhibit statistically significant associations with the rate of action plan completion.² This largely mirrors the results of the latest IRM Technical Paper, which found that there was no statistical relationship between the level of consultation, changes in the executive during the implementation of the action plan, and rates of completion.³

Table 4 | Linear Regression Results of Completion and Budget variables

	REGRESSION COEFFICIENT
<i>Budget</i>	0.305 (0.114)**
<i>N</i>	39
<i>Adjusted R²</i>	0.138

Notes: Standard error reported in parentheses.

** significant at 5%

This finding further supports the importance of funding in the implementation rate of OGP commitments. Nonetheless, it is important to highlight that the adjusted r^2 of the model above is only about 14%. This suggests that while funding explains a notable amount of variation in the implementation rate, it is only one of many different factors. Indeed, many countries with budgeted OGP activities exhibit low levels of implementation, which implies that other factors still play an important role. Even if the lack of funding were to fully explain poor implementation, funding levels themselves may be due to other issues that are more difficult to capture in a quantitative analysis, such as insufficient political buy-in. The following section attempts to study some of these unexplored nuances by looking at specific country case studies.

¹ There are 40 national action plans for which there is data available on the *Budget* variable. One outlier was removed from the data, resulting in a final sample size of 39 national action plans mentioned in the text. Please see Section VII of this paper for more information on the data used for the analysis.
² Please see Section VII of this paper for the full results of the multiple linear regression.
³ Joseph Foti, *Beyond the Basics | OGP Action Plans 2012-2015*, Fall 2016, <http://bit.ly/2h0MGK5>.

V | IS DEDICATED FUNDING FOR OGP IMPLEMENTATION THE ANSWER?

A close look at the experiences of Serbia and Estonia in OGP illustrates how funding is only one of many factors that influence implementation. Other important factors described here include high-level political engagement and permanent monitoring.

Studying the dynamics of individual OGP countries offers a more in-depth look into how the obstacles to implementation found in the previous sections present themselves, how they interact, and how they affect outcomes. In this section, two particular action plans are examined: Serbia's first national action plan (2014-2016) and Estonia's second national action plan (2014-2016). The former was selected because according to the country-level analysis in the previous section, the Serbian plan did not have dedicated funds for OGP implementation, and yet still achieved a high rate of completion. The Estonian plan, on the other hand, was chosen because while its OGP activities were budgeted, the plan's relatively high rate of completion cannot be fully attributed to the existence of funding, given other institutional factors. It is important to keep in mind that these countries are not meant to be generalizable. Instead, they illustrate the many factors that influence the implementation of OGP commitments. To that end, this section can offer hypotheses to be tested in future analyses.

SERBIA'S 2014-2016 NATIONAL ACTION PLAN

Serbia's first national action plan faced several challenges during implementation. First, the ministry in charge of OGP in Serbia was split into two separate line ministries following the parliamentary elections on 16 March 2014. This led to a reorganization of personnel and ministry work plans that interrupted and temporarily stalled the OGP process. In addition, as a line ministry, the new lead ministry (the Ministry of Public Administration and Local Self-Government, MPALSG) was unable to compel other agencies to adopt OGP initiatives, despite being well-positioned in terms of its technical expertise.

Another important challenge was a lack of funding. As documented in the Serbia IRM Progress Report 2014-2015, there was little to no funding for any of the commitments in the action plan, which were not tied to budgets or other planning documents.¹ Moreover, according to the IRM evaluation, the MPALSG lacked the human resources to adequately coordinate the OGP process in the country.

Faced with these obstacles, the action plan still achieved a relatively high rate of implementation during its first year. Specifically, eight of the plan's 13 commitments were either substantially or fully implemented at the midterm of the plan. This is significant considering this paper's earlier finding that elections, weak institutional mandates, and a lack of funding, can derail the implementation of OGP commitments. How was the Serbian government able to overcome these obstacles?

An important factor was the political agenda of the then prime minister, Aleksander Vučić, who became the head of state after the previously mentioned 2014 elections. Two of Prime Minister Vučić's priorities were fighting corruption and accession to the European Union (EU).² As a result, many of the commitments in the action plan focused on either implementing anti-corruption measures, such as reforming the Anti-Corruption Agency, or were related

directly to Serbia's accession to the EU. Prime Minister Vučić also took public action in support of his agenda, such as by heading the coordination body responsible for implementing the country's Anticorruption Strategy.³

According to the IRM research team in Serbia, which evaluated the development and implementation of Serbia's first national action plan, this political context created "an environment conducive to OGP goals."⁴ The accession to the EU, in particular, put pressure on the government to meet EU standards of transparency, participation, and accountability. As the IRM research team wrote at the time, "the process of EU integration increases expectations, mounts pressure on the public administration to conform, and encourages cooperation between the public and civil sectors."⁵ Ultimately, despite the lack of funding, the Serbian government was still able to achieve a high rate of completion, at least in part because of the enabling environment and high-level political support for OGP activities.

ESTONIA'S 2014-2016 NATIONAL ACTION PLAN

Unlike in Serbia's plan, the commitments in Estonia's second national action plan were mostly budgeted activities. Although there was no budget line specifically dedicated to OGP, most activities listed in the action plan were already planned through other strategies or documents that had funding. In practice, the commitments were funded by the State Budget and by European Union Structural Funds. The action plan also specified that the resources for implementing some activities would be allocated from the budgets of particular government institutions, such as the Government Office or the Ministry of Finance.

Given that most of the commitments had a corresponding budget, it is perhaps unsurprising that the plan achieved a high level of completion: 19 of 23 commitments were substantially or fully implemented by the midterm of the action plan. Yet, as in the case of Serbia, funding alone does not tell the whole story.

Institutional factors played an important role. Specifically, in September 2014, the Secretary of State established the OGP Coordinating Council to oversee the implementation of the action plan. The Coordinating Council was designed to be a multistakeholder forum that coordinates, monitors, and evaluates the action plan's implementation. It is composed of 13 members: seven nongovernmental representatives (who were elected by their peers) and six government officials (the Secretary of State and five secretary generals from different ministries).

During the implementation of the action plan, the Council met quarterly to discuss progress, establish clear milestones for commitments, and help solve problems during implementation. For example, given the ambiguity in the text of the action plan, the Council decided that the government would focus on the improvement of an online portal that displays draft legislation to meet several OGP commitments.⁶

In this sense, the permanent monitoring built into the institutional framework of OGP in Estonia helped contribute to the effective implementation of the plan's commitments. According to the IRM researcher in Estonia, despite inconsistent attendance, "this permanent consultation mechanism helped strengthen the coordination of the OGP action plan implementation and guaranteed permanent stakeholder involvement."⁷ The Council may also partly explain the uptick in Estonia's level of completion across its first two action plans (60% of commitments were substantially or fully completed at the midterm of the first action plan, compared to more than 80% during the second action plan).

¹ Independent Reporting Mechanism, "Serbia 2014-2015 Progress Report," <http://bit.ly/2i5fjXd>, 9.

² Robert Carmona-Borjas, "Serbia's struggle with corruption," 18 April 2016, <http://on.ft.com/2yMfChE>.

³ "Vučić na čelu Koordinacionog tela za borbu protiv korupcije," *Telegraf*, 7 August 2014, <http://bit.ly/22FpxyS>.

⁴ Independent Reporting Mechanism, "Serbia 2014-2015 Progress Report," <http://bit.ly/2i5fjXd>, 10.

⁵ *Ibid.*, 66.

⁶ Independent Reporting Mechanism, "Estonia 2014-2016 End-of-Term Report," <http://bit.ly/2yO9KGn>.

⁷ Independent Reporting Mechanism, "Estonia 2014-2015 Progress Report," <http://bit.ly/2h7YbAE>, 11.

VI | CONCLUSIONS AND RECOMMENDATIONS

There are several major factors that influence the implementation of OGP commitments. The main stated cause of delay is a lack of funding and technical capacity, which contributes to the non-implementation of one of every three delayed commitments. The statistical analysis supports the idea that capacity is a major factor for implementation. The results show that dedicated funding for OGP implementation is strongly associated with higher levels of completion in national action plans.

However, the commitment-level analysis and the case studies underscore that funding is only one of many factors that influence rates of completion. Other main factors identified include commitment form and institutional coordination (which each affect about one-third of delayed commitments), as well as commitment relevance and political support / transition (which each affect about one of four delayed commitments).

It may be difficult to accurately measure the impacts of these different factors on completion rates. The action-plan analysis shows that the presence of a multistakeholder forum, a change in the executive or the direct involvement of the office of the executive in OGP are not associated with levels of completion. Still, there is evidence that the reasons for non-implementation are changing, as the issue of poor commitment form has largely disappeared in the most recent round of action plans.

Lastly, this paper notes that unfulfilled commitments are concentrated in a handful of OGP countries. Specifically, the ten worst-performing countries have more than half of the total number of commitments without progress in OGP.

These findings lead to a series of operational recommendations for government implementers, described below.

During the development of national action plans:

1. **Clearly specify the lead actors, deliverables, and timelines for each commitment.** Many commitments are delayed because there is no lead agency, the responsible agency is unaware of its responsibility, or the IRM is unable to verify completion due to the vagueness of the commitment text. These problems can be prevented by assigning a lead actor to each commitment, establishing concrete deliverables, and setting timelines for completion. To ensure that the commitment objective fits the country context and is feasible, it is also important that the responsible agency or agencies be involved in the drafting of the commitment itself.
2. **Establish funding and implementation strategies.** Funding is an important determinant of implementation. It is therefore essential to prepare a plan for implementing commitments – prior to the launch of the action plan – that includes a strategy for securing funding and for coordinating with other agencies to achieve the main objectives.
3. **Align OGP with other national priorities.** Integrating OGP with complementary plans, processes, and strategies can stimulate synergies across government institutions. Aligning open government initiatives with other national priorities can also attract funding and sustain political engagement throughout the implementation phase of the action plan.

During the implementation of national action plans:

1. **Coordinate with other agencies through interagency working groups.** OGP working groups can ease the challenges of coordinating with various agencies to implement commitments. In addition, it can be helpful to establish OGP Points of Contact at each agency involved in implementing OGP implementation to streamline communications and improve oversight.
2. **Deploy a regularly updated implementation dashboard.** Maintaining a tracker that provides up-to-date information on the status of all OGP commitments can streamline the communication between the lead agency and other implementing agencies, as well as improve external monitoring efforts.

Beyond the practical recommendations listed above, there are several next steps for the broader OGP community:

1. OGP staff and multilateral institutions should continue to explore ways to (a) align budgetary cycles and donor inputs with commitment implementation, and (b) leverage the Multi-Donor Trust Fund to address issues of capacity, especially among countries in which non-implementation is an acute problem.
2. Researchers should (a) further explore the relationship between funding, high-level political support, and implementation in OGP countries, and (b) examine the dynamics of implementing OGP commitments at the subnational level to determine the best means of support for the participants in the OGP subnational program.

VII | ABOUT THE METHODOLOGY

ABOUT IRM DATA

The main source of data for this paper is the IRM commitment database.¹ This database compiles the data from all publicly available IRM reports, and is regularly updated. This paper is based on the data available as of mid-2017, which covers IRM reports published between 2013 and mid-2017. The IRM Data Guide offers descriptions of all of the database's variables and possible values.² IRM data is also accessible through the OGP Explorer, which allows users to visualize and download subsets of data.³ Questions about the data should be directed to irm@opengovpartnership.org.

There are several limitations of the IRM data that must be considered. First of all, the rules of OGP, and consequently the methods used by the IRM, have changed over time. When OGP was first founded, the duration of action plans varied. Some governments submitted one-year action plans; others submitted three-year plans. This meant that the IRM midterm assessment was a post-hoc evaluation for some plans and an early assessment for others. While the data for these early action plans is now a minority of the full gamut of IRM data, it is still important to keep this methodological limitation in mind, especially when considering changes in completion over time.

Another necessary limitation of the IRM data is that OGP commitments are not all equal. They range in their ambition, scope, and cost. While commitments may not be easily comparable, they are nonetheless the best unit of analysis for understanding the challenges of implementation across OGP.

Finally, readers should keep in mind that there is a necessary time lag in the data compiled by the IRM, given that IRM reports are published about seven months after the end of the reporting period. Though there is some data in this paper from the most recent round of end-of-term reports (mostly published in 2017), the bulk of the analysis focuses on midterm reports published in 2016 for 2014-2016 action plans. Changes in implementation rates since then will therefore be discussed in future IRM policy papers.

ABOUT THE COMMITMENT-LEVEL ANALYSIS

The commitment-level analysis in Section III of this paper focuses on a subset of the data available in the IRM commitment database. Specifically, the analysis looks only at commitments that were coded as either "Not Started" or "Withdrawn" in midterm IRM reports.⁴ These commitments were selected for this study because they are the clearest examples of unfulfilled commitments. For example, in the case of "Not Started" commitments, there was no evidence of progress after the midterm of the action plan. "Withdrawn" commitments, on the other hand, are those that implementing governments officially remove from their OGP action plan during the implementation phase. These commitments are the only examples of governments formally acknowledging that a commitment will not be fulfilled. Lastly, a small number of commitments assessed by the IRM as being on time (n=9) were excluded from the analysis.⁵

The remaining "Not Started" and "Withdrawn" commitments (n=231) were coded based on the reasons for their non-implementation, as taken directly from the text of IRM midterm reports. The commitments were coded using a typology drawn from an earlier IRM blog post by IRM Program Director Joe Foti.⁶ Table 2 in Section III of this report describes the typology in detail. The database constructed for the purpose of this study is available online.⁷

This methodology has several important limitations. First, while IRM reports document the status of OGP commitments, there is not always sufficient evidence available to report the reasons for delays. As a result, there was not enough information available to code a subset of the "Not Started" and "Withdrawn" commitments (n=105)

using the rubric above. Given time and budgetary restraints, the IRM was unable to conduct additional research and interviews to fill in these gaps. While there may not be a distinction between commitments that have enough information available and those that do not, there may be an element of selection bias. For example, there are many unfulfilled OGP commitments that require legislative action, but there is often little information available on why legislation is not passed. To address this data limitation, Section IV of this paper features an analysis that looks at the obstacles faced during implementation through the lens of national action plans. Still, more in-country research on OGP commitment implementation is necessary.

Another limitation is that the stated reasons for delayed commitments, as documented in the IRM reports, may not always be the most accurate. For example, government stakeholders may point to a lack of funding as the main challenge when insufficient political support is the cause of the deficient funding. Similarly, implementing institutions may blame delays on a recent election when the real issue is a lack of coordination among government employees. While the action-plan analysis and case studies in this paper offer greater nuance to the findings, these questions are left largely unexplored and deserve further research.

Lastly, given that some countries have more “Not Started” commitments than others, some countries are disproportionately represented in the data. Nonetheless, when removing the two major outliers in this respect (El Salvador and Macedonia), the findings did not change significantly – lack of capacity remained the most commonly stated reason for delay.

ABOUT THE ANALYSIS AT THE ACTION-PLAN LEVEL

The analysis in Section IV of this paper uses the IRM commitment and process databases, both of which are accessible online through the OGP Explorer. The dependent variable *Level of action plan completion* is a composite score of the completion codings of each plan’s individual commitments. Specifically, using the IRM’s 1-5 scale for midterm completion, the composite score is equivalent to the mean of the values for commitment completion.⁸ As for the independent variables, *Executive involvement*, *Permanent dialogue*, and *Change in executive* are all binary variables that are taken directly from the IRM Process Database. These variables were chosen to operationalize some of the stated reasons for non-implementation in Section III (e.g. high-level political support and political transition). Missing values, including for the 2017 IRM progress reports, were filled in.

As opposed to the other variables, the values for the Budget variable were calculated by the IRM staff for the purpose of this analysis. Though the IRM does not formally track whether OGP-participating countries have dedicated funding for OGP, IRM evaluations do often mention whether there was a budget for OGP activities. Therefore, to calculate this value, each IRM midterm report was reviewed to determine whether the action plan had dedicated funds for OGP implementation. The variable is binary (the possible values are “yes” or “no”). Note that for the value of the variable to be “yes,” the funds must be for *implementation* of OGP commitments, rather than funds for coordinating or support staff. The IRM staff found that funding for the implementation of OGP commitments fell into three main categories:

1. Earmarked funds (e.g. foreign aid is reserved for OGP implementation, OGP is a line item in the national budget, OGP is a line item in the lead agency’s budget in cases where the lead agency is the main implementer of OGP commitments);
2. Decentralized funding (e.g. OGP activities are included in the budgets of the various implementing agencies); and
3. Pre-existing funding (e.g. OGP commitments were copied from other strategic or policy plans that were already included in the budget).

This approach has several limitations. First, there is an issue of sample size. Only 40 national action plans had information available on the *Budget* variable.⁹ In the future, larger datasets will be more representative of the full range of OGP countries. Second, the *Budget* variable is an imprecise calculation of funding for OGP because it does not track the amount of funds dedicated to the initiative, or the number of lead agencies with funding for implementing commitments. Indeed, the funding environment is often much more nuanced than can be described by a simple binary variable.

The results of the multiple linear regression test mentioned in Section IV are listed in Table 5.

Table 5 | Multiple Linear Regression Results with Independent Variables

	REGRESSION COEFFICIENT
<i>Budget</i>	0.309 (0.128)**
<i>Executive Involvement</i>	0.072 (0.122)
<i>Permanent Dialogue</i>	-0.020 (0.132)
<i>Change in Executive</i>	-0.080 (0.118)

Notes: Standard error reported in parentheses.

** significant at 5%

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¹ IRM Commitment Database, June 2016, <http://bit.ly/2y3ZLcq>.

² IRM Data Guide, Release v2.5, <http://bit.ly/2y4rppD>.

³ OGP Explorer and IRM Data, March 2017, <http://bit.ly/2idDcPA>.

⁴ As mentioned in the introduction of this paper, the possible values for commitment completion include "Complete," "Substantial," "Limited," "Not Started," "Withdrawn," and "Unclear." Commitments with "Complete" and "Substantial" completion were excluded from this study because they were significantly implemented. While commitments with "Limited" completion often suffer from the same challenges in implementation as the "Not Started" commitments, this assessment focused only on the latter group of commitments due to time restraints. Finally, commitments with "Unclear" completion were not included in the analysis due to the lack of available information on their implementation.

As of 2015, the IRM also publishes end-of-term reports at the end of each action plan cycle. The analysis in Section III of this paper focuses only on midterm reports as these generally contain more context on the status of commitments and the reasons for their delays.

⁵ While these commitments have not been started at the time of the IRM evaluation, they are on schedule based on previously established government timelines. These commitments therefore may not have faced any challenges in implementation.

⁶ Joseph Foti, "Looking Back: Why some OGP commitments don't get implemented," 4 January 2016, <http://bit.ly/2yGCwxc>.

⁷ The data used in this paper is available online at: <http://bit.ly/2izpffm>.

⁸ The IRM 1-5 completion scale is as follows: 1 = unclear; 2 = not started; 3 = limited; 4 = substantial; 5 = complete. Therefore, if an action plan had one "limited" commitment and another "complete" commitment, the resulting score would be 4. Note that commitments coded as "unclear" were removed from the analysis, as they would incorrectly reduce the overall score.

⁹ One outlier (Moldova's second national action plan) was removed from the sample, resulting in a final sample size of 39 action plans for the regression analysis.



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