



GOBIERNO DE LA REPÚBLICA DE
PANAMÁ

OPEN GOVERNMENT PARTNERSHIP

SELF-ASSESSMENT REPORT NATIONAL ACTION PLAN 2013-2014

FIRST YEAR REPORT



1. Introduction and Background

Briefly explain:

- **How the country's OGP commitments reflect the country's commitment to the four core open government principles OGP adopted (transparency, civic participation, public accountability, and technology and innovation for openness and accountability).**

Commitments in our National Action Plan, reflects the principles of the OGP by means of the implementation of the Transparency Law 6 through the creation of the Law No. 33 of April 25, 2013, in which transparency, public participation and access to information is regulated.

We can also see these principles reflected with the creation of Panama OGP link on the website of the National Authority for Transparency and Access to Information, www.antai.gob.pa, which will help citizens and public servants to acquire knowledge about how the principles of open government contribute to improving democracy, effective government response, the credibility upon our institutions; as well as through these mechanisms, people can monitor the actions of state administration and contribute to government initiatives.

As a mechanism for citizen participation, the Government of the Republic of Chile has donated a tool which operates as a website to give people a space to participate and incorporate their views for improving governance. This site is called "Citizen Consultation".

- **How did the country's OGP commitments attempt to address at least one of the 5 OGP grand challenges (improving public services, increasing public integrity, more effectively managing public resources, creating safer communities, and increasing corporate accountability)**

To comply with the commitment to the implementation of the Transparency Law 6 the Law 33 of April 25, 2013 was created, this law was able increase **public integrity** through compliance with the Transparency Law 6, the right to request access to public information, promoting transparency, disclosure of information, transparent governance, citizen participation and open government among others.

2. National Action Plan Process

The self-assessment report following the first year will generally focus on the subsection "Consultation during Action Plan Development." For the self-assessment report following the second year of implementation summarize your earlier version and focus on the "Consultation during Action Plan Implementation."

A. Consultation during Action Plan development: The OGP Articles of Governance and supporting documents lay out the following requirements for consultation during development:

- **Availability of timeline:** Countries are to make the details of their public consultation process and timeline available (online at minimum) prior to the consultation.
- **Adequate notice:** Countries are to consult the population with sufficient forewarning.
- **Awareness raising:** Countries are to undertake OGP awareness raising activities to enhance public participation in the consultation.
- **Multiple channels:** Countries are to consult through a variety of mechanisms – including online and through inperson meetings – to ensure the accessibility of opportunities for citizens to engage.
- **Breadth of consultation:** Countries are to consult widely with the national community, including civil society and the private sector, and to seek out a diverse range of views and;
- **Documentation and feedback:** Countries are to make a summary of the public consultation and all individual written comment submissions available online.

Provide a brief narrative of government's approach to plan development and implementation process as related to the above requirements and add any additional information on this subject, including:

- **What process challenges, if any, the government faced in developing the action plan in terms of:**
 - **Fostering citizen participation,**
 - **Organizing inter-agency and/or Central/Local consultation mechanisms and**
 - **Developing the plan in a timely manner.**

Before formalizing the action plan submitted to OGP, this was sent by note No. SECT/MAC/068-12/NR on March 26, 2013 to the Foundation for the Development of Civic Freedom, Panamanian Chapter for International Transparency; so they could collaborate with reviews, notes and comments.

The National Authority for Transparency and Access to Information in order to disclose the Action Plan of the Republic of Panama made it available the plan through the website of the National Authority for Transparency and Access to Information (Antai), www.antai.gob.pa.

Also the public was able to access the Action Plan and had the opportunity to comment, but did not receive any comments or observations.

B. Consultation during implementation: The OGP Articles of Governance state that, “Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation – this can be an existing entity or a new one.”

Provide a brief narrative of government’s approach to participation during implementation, including:

- **Which forum was identified and whether it was new or pre-existing;**
- **The frequency and regularity of meetings of the forum**
- **Which organizations and individuals participated regularly.**

The action plan was available in the website of the National Authority for Transparency and Access to Information.

C. Each self-assessment report is required to have a two-week public comment period. Briefly describe here the results of the comment period, including how comments were incorporated, and any other consultation activities that were carried out for the report itself.

The self-assessment report was published on the website of the National Authority for Transparency and Access to Information for a consultation period of two weeks, being this from 08 to 22 September 2014. The Authority did not receive comments from the public.

Additionally, we presented through note ANTAI/OCTI/0010-14-NR dated September 08, 2014 to Magally Castillo, Director of “Alianza Ciudadana Pro Justicia”, for comments and means of working together with the civil society.

3. IRM Recommendations

Section 3: Briefly explain how the IRM report findings were used to improve the process of National Action Plan drafting and implementation.

Considering that Panama has only the first Action Plan, we do not have a report from the IRM, therefore we must wait for the IRM report to be adopted in 2015, this will be very useful for future action plans.

4. Implementation of National Action Plan commitments

Section 4: The first year self-assessment report should include information on progress to date and any preliminary goals that have been met. The second year self-assessment report should include all the information on implementation of commitments. This is the primary purpose of the second report.

Provide a complete description of the general implementation process. This should include any relevant context and challenges. It is also helpful to include a summary table of the progress and results on all of the Action Plan commitments. Any information on modifications or updates to the commitments should be included here too.

Additionally, for each commitment write a brief explanation of the main results. The template below shows the information required for each commitment.

Commitment 1 - Institutionalization of Open Government in Panama				
Lead agency		<i>National Authority of Transparency and Access to Information</i>		
Other involved actors	Government	N/A		
	CSO, Private, working groups, multilaterals	N/A		
Main Objective		<i>Compliance, monitoring, implementation and continuation of the OGP principles in Panama.</i>		
Relevance		Transparency and Access to Information	Civic Participation	Public accountability
		Yes	Yes	Yes
Completion level		Not started	Limited	Substantial
				X
Ambition		<i>Expected to regulate civic participation and implementation of an internet portal, allowing citizens to participate in government decisions and achieving greater openness.</i>		
Description of the results		<i>In Law No. 33 of April 25, 2013 was regulated/added the civic participation.</i>		
End date		<i>Before concluding 2014.</i>		
Next steps		<i>Launch of the internet portal civic consultation of Panama.</i>		
Additional Information				
<i>Adaptations of the internet portal for public consultation, achieving the continuation of regulating Chapter VII of civic participation established.</i>				

Commitment 2 - Disclosure of OGP Objectives, Purposes and Initiatives				
Lead agency		<i>National Authority of Transparency and Access to Information</i>		
Other involved actors	Government	N/A		
	CSO, Private, working groups, multilaterals	N/A		
Main Objective		<i>Disclose and inform to the general public the Panama's adherence to the Open Government Partnership, the existing commitments that result from our adherence to the Partnership, the objectives and purposes of OGP, activities, initiatives of entities satisfying their principles, among others.</i>		
Relevance		Transparency and Access to Information	Civic Participation	Public accountability
		Yes	Yes	Yes
Completion level		Not started	Limited	Substantial
				X
Ambition		<i>Create a website that can serve for the disclosure of the goals, objectives and initiatives of OGP, also sign agreements with entities within government to keep in its websites a link to the portal.</i>		
Description of the results		<i>The National Authority for Transparency and Access to Information incorporated OGP link to their website www.antai.gob.pa to make public the goals, objectives and initiatives of OGP.</i>		
End date		<i>Before concluding 2014.</i>		
Next steps		<i>Subscribe agreements with government entities to incorporate into their websites the link of Open Government Partnership of Panama, before the end of 2014.</i>		
Additional Information				
<i>Agreements will be signed with government entities to incorporate into their websites the link of Open Government Partnership of Panama. Possible risk can be the speed in which different authorities cooperate.</i>				

Commitment 3 – Implementation of the Law No. 6 of Transparency

Lead agency		<i>National Authority of Transparency and Access to Information</i>			
Other involved actors	Government	N/A			
	CSO, Private, working groups, multilaterals	N/A			
Main Objective		<i>Implement the Law No. 6 of Transparency and thus raise compliance rates of the entities with the principle of publicity on their websites, in order to contribute to transparency in government efforts and increase civic participation rates with the purpose that all entities are required to allow public participation within their actions and administrative procedures. In addition to the before states, we were able to comply with the issues concerning access to public information.</i>			
Relevance		Transparency and Access to Information	Civic Participation	Public accountability	
		Yes	Yes	Yes	
Completion level		Not started	Limited	Substantial	Completed
				X	
Ambition		<i>With the implementation of Law No. 6 of Transparency, the Authority regulates OGP objectives.</i>			
Description of the results		<i>Through the creation of the Law 33 of April 25, 2013, we regulated the issue of civic participation and the principle of publicity, also transparency and access to information, accountability, open government and the right of petition.</i>			
End date		<i>Before concluding 2014.</i>			
Next steps		<i>Complete the platform of public consultation and create a recognition for the entities that encourage, recognize and implement the civic participation in acts of public administration, according to the Law No. 6 of Transparency .</i>			
Additional Information					
<i>Once completed the Internet portal of Public Consultation, public entities will be invited so that in compliance of Chapter VII of the Law No. 6 of Transparency in regards to civic participation, divulge in this website all acts of government that may affect the interests and rights of groups of citizens in administrative decisions, and recognize the entities that meet this on our website.</i>					

Commitment 4 - Internet Portal for Public Consultation

Lead agency		<i>National Authority of Transparency and Access to Information, Ministry of the Presidency</i>			
Other involved actors	Government	<i>National Authority for Government Innovation</i>			
	CSO, Private, working groups, multilaterals	<i>Other involved actor: Government of the Republic of Chile</i>			
Main Objective		<i>Invite people to participate and incorporate their opinions to improve governance, seek their views and generate a response from the authority that includes the answers and commitments arising from the proposals raised during the consultation.</i>			
Relevance		Transparency and Access to Information	Civic Participation	Public accountability	
		Yes	Yes	Yes	
Completion level		Not started	Limited	Substantial	Completed
				X	
Ambition		<i>This internet portal seeks civic participation and incorporates their views for improving governance, seek their views and generate a response from the authority that includes the answers and commitments arising from the proposals raised during the consultation.</i>			
Description of the results		<i>The Government of the Republic of Chile granted the platform, which is currently at the Ministry of the Presidency doing software programming. It is at 75% level of advance.</i>			
End date		<i>Before concluding 2014.</i>			
Next steps		<i>Once the platform is ready we will proceed to launch it and its execution.</i>			
Additional Information					
<i>Once the platform is ready will proceed to their dissemination and implementation. A possible risk would be an additional delay in the adaptation of this platform.</i>					

Commitment 5 – Civil Society Convocation for extension of the Action Plan				
Lead agency		<i>National Authority of Transparency and Access to Information</i>		
Other involved actors	Government	N/A		
	CSO, Private, working groups, multilaterals	N/A		
Main Objective		<i>Convene the civil society so that they can contribute and provide feedback regarding the expansion of the Panama Action Plan, as part of the plans that must be met after adhering to the Open Government Partnership.</i>		
Relevance		Transparency and Access to Information	Civic Participation	Public accountability
		Yes	Yes	
Completion level		Not started	Limited	Substantial
			X	Completed
Ambition		<i>Obtain opinions and contributions of the civil society for further addition to the Panama Action Plan.</i>		
Description of the results		<i>Considering that the action plan has been published and disclosed on the website of Antai, this was subject to consideration by the civil society. Since its publication on the website to date, the authority has received no formal or official communication from the civil society input or opinions.</i>		
End date		<i>Active.</i>		
Next steps		<i>Find other ways of convocation.</i>		
Additional Information				
<i>The public consultation platform in adaptation will be considered as another form of convocation.</i>				

5. Progress on Eligibility Criteria (optional)

Governments should briefly explain any steps to improve their performance on OGP's eligibility criteria as part of their action plan.

Panama was rated in OGP eligibility criteria, as follows:

- Access to Information: 4 points;
- Citizen Participation: 4 points;
- Asset Disclosure: 2 points, because we have a law requiring the release of information by elected officials or of high rank but there is no legal provision that requires publication.

Article 304 of the Constitution of the Republic of Panama, stipulates that high ranking public servants should submit a sworn declaration of assets in the beginning and end of their mandates, which must be made by public document, in a period of ten working days after taking office and ten working days from separation.

6. Conclusion, Other initiatives and Next Steps

A. Lessons learned: What were the overall lessons learned and challenges encountered with respect to action plan development and implementation?

We identify our Action Plan has strengths and opportunities that will achieve greater civic participation through the Internet portal for public consultation because they give the opportunity for people to participate and incorporate their opinions to improve governance.

Also the establishment of Law No. 33 of 2013 that created the National Authority Transparency and Access to Information can implement Law No. 6 of Transparency, dealing with property the OGP themes and regulate the civic participation.

The lack of technical human resources in the technology area and a lack of financial resources have been a challenge to fully make public the goals, objectives and initiatives of OGP.

Another challenge we faced was the convening of civil society to contribute and further expand the Action Plan, as it has not been easy to meet with civil society and the overall performance by the time factor, because we must first execute the first action plan and then proceed with the preparation of the second action plan.

B. Other initiatives (optional): Report on any other initiatives or reforms undertaken by your country to advance the Open Government Partnership values that were not included in the Action Plan.

Currently, the National Authority of Transparency and Access to Information is developing a tool called "Electronic platform for access to information at government level", which will improve the processing and tracking all requests for access to information according to the Law No. 6 of Transparency , which creates legal standards for transparency in public management and access to information.

This platform will be useful for people interested in requesting public information held by the state as well as information officers to record and monitor requests for information.

Progressively, this platform will decrease the need to use paper through the systematization and the technology used in pro-government transparency and civic participation, as established in the pillars of OGP.

C. Peer learning and networking: Briefly describe any involvement in peer learning or networking activity and/or any assistance the country received in any phase of the action plan development and implementation process.

Peer learning was held in conjunction with the Government of the Republic of Chile, who gave us an explanation of what was the Open Government Partnership. The fellow country showed us the way how they implemented their commitments to OGP.

In the same sense, they granted us the technological platform for public consultation.

D. Next steps: What are the future plans of the country in relation to OGP?

Complete the remaining commitments of the first action plan to obtain a final version of the learnings and challenges, so we can develop a better second action plan considering the three pillars on which rests the mechanism of open government, as are transparency, citizen participation and accountability and follow up the implementation of the commitments made in our first plan of action.

E. Conclusion: Report on the positive impact of the activities and related outcomes with respect to each commitment; this could include a broader assessment that may detail actions taken outside the action plan itself, such as political/electoral developments, cultural changes, and plans for the future unrelated to past commitments.

Among the positive impacts as a result of what has been done so far, we have the internet portal for public consultation that will achieve greater citizen participation, because through it, people will be invited to participate and incorporate their opinions on improving governance.

With the creation of Law 33 of 2013 which established the National Authority for Transparency and Access to Information, we have successfully implemented the Law 6 for Transparency regulating OGP issues and citizen participation.

To comply with the principle of public access established by Law No. 6, we are developing a transparency web portal access mentioned above.