

# Assessing OGP Values for Relevance

## I. Purpose

This document presents the definitions of Open Government Partnership *Values* that are applied by the Independent Reporting Mechanism to evaluate the relevance of commitments made as part of OGP national action plans. As part of its mandate, the IRM evaluates each commitment within the national context for its relevance to the OGP values (as contained in the OGP Articles of Governance) and the OGP Declaration which all countries sign. The definitions offered here are a synthesis of these sources.

These definitions, taken as a whole, will be used to evaluate whether each OGP commitment meets the test of “clear relevance” for each commitment. In order to be marked of “clear relevance” in an OGP IRM report, a commitment must clearly articulate their relationship to Access to Information, Civic Participation, and Public Accountability.

While action plans may contain commitments that do not meet the test for relevance, those that do not will be ineligible for “starred” or exemplary commitment status. (This is used to highlight the major achievements of a country around open government in its IRM report.) Proponents of commitments will want to draft commitments in such a way that they clearly articulate which of the values they intend to improve. Relevant commitments may either employ these values instrumentally (in the service of some other policy aim) or they may be aims in-and-of-themselves.

Because the fourth value “Technology and Innovation for Transparency and Accountability” is instrumental in achieving the other three values, governments that wish to have this value checked are advised to clearly articulate how technology and innovation will improve access to information, civic participation, and public accountability. Commitments that have technology but do not clearly articulate their intended impact on these other values may be considered of “unclear relevance.”

OGP values may be applied to any branch of government to be considered relevant.

## II. How to use these values

- **Government points of contact:** Share these values with civil society, private sector and government stakeholders to ensure a shared understanding of open government values. These can be used to help draft, evaluate relevance of, and, where necessary, revise commitments under the OGP action plan. Additionally, you can use these definitions to help predict the evaluation by the IRM in your country.
- **Members of government:** Use these values to help draft your commitments and make proposals to civil society and to government for inclusion in the action plan. These should help to identify those goals that meet your goals of good government and *open* government.
- **Civil society:** Use these values to draft proposed commitments and to evaluate the relevance of commitments in your national action plan. These definitions should also help to educate your colleagues on what is and what isn't relevant to “open government.”
- **IRM national researchers:** Carefully apply these definitions to each commitment or group of commitments to identify whether the actions described in the commitment, as written, would either enhance these values or would employ these values to meet other policy goals. Assess the intent of the commitment, as written, rather than the ultimate potential impact or the intentional impact.

### III. OGP Values defined

#### Access to information

Commitments around access to information:

- pertain to government-*held* information, as opposed to only information on government activities. As an example, releasing government-held information on pollution would be clearly relevant, even though the information is not about “government activity” per se;
- are not restricted to data but pertains to all information. For example, releasing individual construction contracts would be “information”; releasing data on a large set of construction contracts;
- may include information disclosures in open data and the systems that underpin the public disclosure of data;
- may cover proactive or reactive releases of information;
- may pertain to mechanisms to strengthen the right to information (such as ombudsman’s offices or information tribunals);
- must provide open access to information (it should not be privileged or internal only to government);
- should promote transparency of government decision-making and carrying out of basic functions;
- may seek to lower cost of obtaining information.

#### Civic participation

Commitments around civic participation may pertain to formal public participation or to broader civic participation.

Commitments addressing *public participation*:

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

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

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

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

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

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

## Public Accountability

Commitments improving accountability can include:

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

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

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

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

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

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

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

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

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

Not all eGovernment reforms improve openness of government. Where an eGovernment commitment is made, it needs to articulate how it enhances at least one of: access to information, public participation, or public accountability.