OPEN GOVERNMENT GUIDE

ALL

Customised Report

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Introduction

At the heart of open government are the ideas of transparency, participation and accountability. As a working definition;

- **Transparency** means the public understands the workings of their government
- **Participation** means public can influence the workings of government by engaging with public policy processes and public service providers
- **Accountability** means the public can hold the government to account for its policy and service delivery performance

> ⓘ More about definitions can be found at www.opengovguide.com/glossary

The Guide has been developed by the Transparency and Accountability Initiative (T/AI). It aims to support governments and civil society organisations to advance transparency, accountability and participation particularly as part of the Open Government Partnership. It highlights practical, measurable, specific and actionable steps that governments can, and are taking to advance open government.

The full guide covers a broad range of topics, and more are being developed.

Cross cutting topics	Focused topics
Assets disclosure and conflicts of interest	Aid
Budgets	Construction
Citizen engagement	Consumer protection
Open government data	Elections
Privacy and data protection	Environment
Public contracting	Extractive industry
Public services	Fisheries
Records management	Land
Right to information	Parliaments
Whistleblower protection	Police and public security
	Security sector
	Tax and Illicit flows

> ⓘ A full index can be found at www.opengovguide.com/topics

Each Topic has been developed by an expert organisation and offers a flexible menu of 'illustrative commitments' which governments could adopt.

Initial steps – actions that a country can take starting from a relatively low baseline

Intermediate steps – actions that countries can take once they have already made moderate progress

Advanced steps – established best practice demonstrated by the most advance performers

Innovative steps – new approaches which countries are trying out

For each step the Guide lists.

Recommendations – detailed guidance from expert networks

Standards and guidance – key principles, guidance, reports, rankings and tools

Country examples – examples in practice from around the world

The levels of ambition do not imply that countries must work through the steps one by one, or that the country examples given in relation to a particular action implies an overall rating of national progress. Rather, it seeks to offer a flexible framework to support national dialogues about reforms in support of progress towards greater openness.

This document is a customised extract from the full online guide, which is a work in progress. Opengovguide.com is not just a static website. We hope that it will continue to grow with new case examples, resources and ideas. Contact info@opengovguide.com with comments and suggestions.

About T/AI

T/A I is a donor collaborative that aims to seize momentum and expand the impact breadth and coordination of funding and activity in the transparency and accountability filed as well as to explore applications of this work in new areas. The collaborative includes the Ford Foundation, Hivos, the International Budget Partnership, the Omidyar Network, the Open Society Foundations (OSF), the Revenue Watch Institute, the UK Department for International Development and the William and Flora Hewett Foundation

The contents of The Guide are attributable to the contributors for each Topic. The Transparency and Accountability Initiative members do not necessarily endorse the recommendations mentioned in the publication and website.

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Aid

> 💡 **Lead author:** [Publish What You Fund](#)

Introduction

For aid to be effective it depends on:

- Donors and recipient governments (and institutions) being mutually accountable for commitments and results;
- Recipient governments and institutions being accountable to their own citizens;
- Donor governments being accountable to their own citizens;
- Accountability between donors on commitments and coordination (Mulley, 2011).

Transparency underpins all of these forms of accountability. It is therefore important that donors provide information about the aid they give, and that they make this information publicly available in a comparable format and a way that people can easily understand. More and better information about aid will help to maximise the effectiveness of aid in reducing poverty because it helps partner countries and donor institutions plan and manage aid resources more effectively, parliaments and CSOs to hold governments to account for their use of aid resources and domestic taxpayers to see where their money is going, maintaining public support for development cooperation a time of financial stringency.

Without transparent aid information, countries that receive aid lack vital information to make decisions about domestic budgeting and spending, while donors are unable to judge where aid is most needed and how effective it is. Improving transparency and accountability in aid can also help to support the development of comprehensive and transparent national budgets which are crucial for citizens to hold their government to account in managing public money.

In 2005, under the Paris Declaration, donors committed to "provide timely, transparent and comprehensive information on aid flows so as to enable partner authorities to present comprehensive budget reports to their legislators and citizens". At the Fourth High Level Forum on Aid Effectiveness in Busan in 2011, donors made their commitments more specific, agreeing to implement a **common, open standard** for publishing aid information, based on the OECD's Creditor Reporting System (CRS) and the International Aid Transparency Initiative (IATI). Each organisation that endorsed Busan Partnership was expected to produce implementation schedules by December 2012 and aim to fully implement the common standard by December 2015.

References

Paris Declaration and Accra Agenda http://www.oecd.org/dac/effectiveness/parisdeclarationandaccraagendaforaction.htm

Fourth High Level Forum on Aid Effectiveness, 2011, Busan Partnership http://www.oecd.org/dac/effectiveness/busanpartnership.htm

A-hoc group for the common standard, 2012, What is the common standard for aid information? Paris: OECD.

Mulley, S, 2011, Donor aid New frontiers in transparency and accountability, London: T/A I.

Expert Organisations

AidData http://www.aiddata.org

Aidinfo http://www.aidinfo.org

International Aid Transparency Initiative http://www.aidtransparency.net

Open Aid Partnership http://www.openaidmap.org

Publish What You Fund http://www.PublishWhatYouFund.org

Summary of illustrative commitments

Initial

- Automate publication of comprehensive, timely, detailed and high quality information (donors)

- Begin publishing information to the IATI Registry (donors)

- Demand information from donors in line with the IATI standard (recipients)

- Encourage the development of tools to share and interpret aid data

- Engage the public In debates on development policy (donors)

- Integrate aid information into domestic budget planning (recipients)

- Join the International Aid Transparency Initiative (IATI)

- Promote access to and use aid information by all stakeholders

- Publish more detailed information on aid flows including performance information, sub-national location, results and project documents (donors)

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Assets disclosure and conflicts of interest

Lead author: Global Integrity

Introduction

When officials use their public office for private gain, it undermines institutions, deprives citizens of essential services and derails economic development. A conflict of interest arises when a public official is in a position to use public office for personal private gain or for the gain of other private parties. It points to the potential for–not necessarily the existence of–improper conduct. Thus, a regulatory regime of rules, guidance, and enforcement is needed to reduce the risk of real or perceived unethical conduct. Codes of conduct and regulations typically cover the following areas:

1. **Asset disclosure requirements** to make public official's assets and business activities transparent to the public.

2. **Conflict of interest rules** and guidance to identify and manage conflicts of interests and make sure public officials' decisions are not improperly affected by self interest.

3. **Revolving door regulations** to stem conflicts of interest arising from the movement of individuals between the public and private sectors.

4. **Gift and hospitality rules** preventing special interests attempting to influence policy by offering public servants items or services of value in return for favours.

Disclosure can be a powerful tool in bolstering public integrity and preventing abuses of power. While governments may put in place absolute restrictions on certain kinds of conduct, it is often supplemented with disclosures, which provide the means to monitor and resolve conflicts of interest and to detect and deter illicit enrichment.

There are multiple pathways through which asset disclosure and conflict of interest regulations strengthen public integrity. They build a culture of integrity by establishing standards of acceptable behaviour and by providing clear rules and guidance on ethical conduct in public office. Greater transparency through disclosure is a powerful deterrent against unethical behaviour by reminding public officials that their behaviour is subject to scrutiny. Moreover, they provide a valuable source of information for detecting abuse and corruption (World Bank, 2013). There is no one-size-fits-all approach to designing an appropriate regime. Absolute restrictions are often easier for governments to implement than disclosure systems, and are particularly relevant in contexts where there is low government capacity or resources. However income and asset disclosures are increasingly used, and a growing body of work points to a set of core principles that could be considered by governments seeking to adopt robust, effective disclosure measures.

References

World Bank (2013) Financial Disclosure Systems. Declarations of Interests, Income, and Assets Background Primer prepared by the Public Accountability Mechanisms (PAM) Initiative of The World Bank Public Sector and Governance Group

Expert Organisations

Organisation for Economic Co-operation and Development
http://www.oecd.org/gov/ethics/managingconflictofinterestinthepublicservice.htm

World Bank http://www.worldbank.org/anticorruption

Inter American Development Bank http://www.iadb.org/en/topics/transparency/transparency-and-anticorruption,1162.html

African Development Bank http://www.afdb.org/en/about-us/structure/integrity-and-anti-corruption/

Asian Development Bank http://www.adb.org/site/integrity/main

Organization of American States http://www.oas.org/juridico/english/fightcur.html

Sunlight Foundation http://www.sunlight.org/

Transparency International http://gateway.transparency.org/guides/intro/public_integrity

Summary of illustrative commitments

Initial

- Establish a law requiring public disclosure of income and assets by elected and senior public officials

- Establish a system of oversight for asset and conflicts of interest disclosures

- Establish regulations governing gifts offered to public sector officials

- Establish regulations governing post-government private sector employment

- Publish asset and conflict of interest disclosures as open data

Summary of illustrative commitments

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Budgets

> 💡 **Lead author:** International Budget Partnership

Introduction

Every year, governments collect and spend billions of dollars in taxpayer funds and citizens have a right to know how their governments are collecting and spending their money.

Governments implement policies through ministries, departments and agencies at central and local levels. These public bodies, and their executives, are accountable to the political leadership. Politicians, in turn, are accountable to their citizens for the implementation of national policies, in health care and education for example. Budgets are the link between policies and their implementation, between political visions or programmes and their delivery: they allocate resources to plans in terms of money and time.

As part of the management of the budget, governments produce a series of reports at various points in the annual budget cycle. These include Pre-Budget Statement, Executive's Budget Proposal, Enacted Budget, Citizens' Budget, In-Year Reports, Mid-Year Review, Year-End Report and Audit Report.

In order for citizens to be able to know how their governments are collecting and spending their monies, they need access to these budget reports. Fiscal transparency allows for better-informed debate by both policymakers and the public about the design and results of fiscal policy, and establishes accountability for its implementation.

Many budget reports are already being produced by governments for their internal use and these reports can be made available on government websites at almost no cost. Further, legislative discussions on the budget happen in almost every country and it is not an expensive exercise to make these discussions public by allowing the media to cover these discussions. Fiscal transparency is often pushed forward as part of political transitions, or in response to financial crisis or corruption. External influences that promote global norms and empower domestic reformers and civil society actors can also play a key role (Khagram et al, 2013).

Recent research studies show that transparency can enable governments to raise credit from the international markets at cheaper rates (Hameed, 2011). It can also help shine a light on the efficiency of public expenditures. Further, transparency can help foster equity by matching national resources with national priorities. Transparency and public participation can enable governments to build trust and give citizens voice and dignity (IBP, 20313) Opacity on fiscal issues on the other hand can undermine fiscal discipline and as illustrated in a recent IMF publication it can lead to large unexpected debt (Cottarelli, 2012).

References

Cottarelli, 2012, 'Fiscal Transparency, Accountability, and Risk, IMF Fiscal Affairs Department http://www.imf.org/external/np/pp/eng/2012/080712.pdf

Hameed, 2011, 'Budget Transparency and Financial Markets, OGP Working Paper 1, Open Budget Partnership'. http://internationalbudget.org/wp-content/uploads/IBP-Working-Paper-1-Budget-Transparency-and-Financial-Markets.pdf

IBP, 2013 Learning Program: Case Examples, http://internationalbudget.org/ibp_publication_categories/learning-program/

Khagram, S., A. Fung and P. De Renzio, 2013, Open Budgets: The Political Economy of Transparency, Participation, and Accountability, Washington DC: Brookings Institute.

Expert Organisations

International Budget Partnership http://www.internationalbudget.org

Global Initiative for Fiscal Transparency http://fiscaltransparency.net/

Global Movement for Budget Transparency, Accountability, and Participation (BTAP) http://www.globalbtap.org/

Organization for Economic Cooperation and Development http://www.oecd.org/gov/budgeting/

International Monetary Fund http://www.imf.org/external/np/fad/tran

Public Expenditure and Financial Accountability Program http://www.pefa.org/

Collaborative Africa Budget Reform Initiative http://www.cabri-sbo.org/

OGP Working Group: Fiscal Openness http://fiscaltransparency.net/category/ogp-gift-fowg/

Summary of illustrative commitments

Initial

- Allow public access to budget hearings in the legislature

- Consult with the public on budget preparation

- Enable citizen participation in budgeting

- Enable effective oversight by legislatures and supreme audit institutions

- Fully implement the GIFT Principles on fiscal transparency

- Publish a Citizens' Budget

- Publish all budget reports as open data

- Publish all eight key budget reports

- Publish Executive's Budget Proposal and Audit Reports

- Publish information on resources received by service delivery units

- Publish off budget financial information

- Publish the four core budget documents

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Citizen engagement

💡 **Lead author:** <u>Involve</u>

Introduction

Citizen engagement is what open government is all about. It underpins many of the other topics in this guide – with active citizenship often being a vital link between transparency and accountability. The Open Government Partnership recognises this in its <u>eligibility criteria</u>, stating that: 'Open Government requires openness to citizen participation and engagement in policymaking and governance, including basic protections for civil liberties' (Open Government Partnership).

In an increasingly complex world, citizens' input is a critical resource for policy-making. Good decision-making requires the knowledge, experiences, views and values of the public. Implementing difficult decisions depends on citizens' consent and support. Unless citizens understand and are engaged in the decision themselves, trust is easily lost (OECD, 2009).

Civil liberties provide the critical foundations which enable people to participate without fear and to disagree peacefully with each other and with their government. Basic human rights including freedom of speech, expression and the press; freedom of religion; freedom of assembly and association; and the right to due judicial process are critical in supporting a political culture where citizens are willing and able to participate in public debate.

People around the world consistently indicate that they are not content simply to engage with government through periodic elections. But they are discouraged by the real and perceived control of public decisions and decision-makers by small political and economic elites.. It is important that citizen engagement is well designed and properly resourced, and that it is born from a genuine desire to involve the public and take their input into account. Good citizen engagement can support the effective functioning of democracy, the legitimacy of government, the successful implementation of policy and the achievement of social outcomes. Bad engagement practice can lead to poor decisions, and disengagement by citizens (Brodie et al, 2011).

Overcoming public disengagement, and effectively responding to citizens requires a culture change in how governments interact and cooperate with the public, mechanisms for hearing and taking into account the voices of citizens institutionalized into the behaviour and culture of public institutions.

NB: Our use of the word "citizen" in this chapter is to be understood in its broadest possible sense, including all inhabitants of a country or locality. There is understandable concern that the term can be used to exclude groups without voting rights and/or are not naturalised in a country, including children and young people, migrants and refugees. This is not our intention; indeed, it is groups such as these that should be the focus of particular efforts to engage them with decisions that affect their lives.

References

OECD, 2009, Focus on Citizens: Public Engagement for Better Policy and Services

Brodie, E; Hughes, T; Jochum, V; Miller, S; Ockenden, N; & Warburton, D, 2011, Pathways through Participation: What creates and sustains active citizenship?

Expert Organisations

Civicus http://www.civicus.org

Involve http://www.involve.org.uk

Deliberative Democracy Consortium http://www.deliberative-democracy.net

International Association for Public Participation http://www.iap2.org

Society for Participatory Research in Asia http://www.pria.org/

Twaweza East Africa http://www.twaweza.org

MKSS India http://www.mkssindia.org

National Coalition for Dialogue and Deliberation US http://ncdd.org

Division for Public Administration and Development Management, United Nations Department of Economic and Social Affairs http://www.unpan.org/DPADM

World Bank Social Development Department http://www.worldbank.org/socialdevelopment

International Center for Not-for-profit Law http://www.icnl.org

European Center for Not-for-profit Law http://www.ecnl.org.hu

International Association of Facilitators http://www.iaf-world.org

Making All Voices Count http://www.makingallvoicescount.org/

Summary of illustrative commitments

Initial

- Develop a compact with civil society to achieve common goals

- Encourage the use of digital tools to engage with the public

- Engage citizens in deliberation on a priority issue

- Establish a centre of expertise and designate resources to support the institutionalisation of citizen engagement

- Establish citizen engagement as a core competency of government officials

- Establish legislation and guidelines on public consultation in policy development

- Establish mechanisms to engage children and young people as full participants in civic life

- Involve citizens in assessing the institutions of government and identifying priorities for reform

- Prototype new approaches to citizen participation

- Reform legislation to create an enabling environment for civil society organisations

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Construction

> 💡 **Lead author:** <u>Construction Sector Transparency Initiative (CoST)</u>

Introduction

The construction sector is responsible for building crucial infrastructure which contributes to positive economic and social outcomes including poverty reduction. Up to 30 percent of public budgets is spent on construction, across sectors such as transport, energy, water, health, education, and housing.The sector also receives high levels of foreign direct investment and of international and regional development aid. This means that the concerns about mismanagement and corruption in the sector have both local and international significance.

It is estimated that upwards of $4 trillion annually is lost through mismanagement, inefficiency, and corruption in public construction – on average 10 to 30 percent of a project's value. These losses have a negative effect on the quality, safety, and value of the built environment. Specific investigations have found much larger losses in some cases, including projects that were paid for but never built and structures that collapsed with injury and loss of life.

Corruption and mismanagement in public infrastructure are linked to weak governance, both in policy, legal and regulatory systems and institutional capacity. The nature of the construction industry and the manner in which infrastructure services are operated create structural vulnerabilities that can encourage corruption. Transparency International's 2005 report into corruption in infrastructure highlights 13 different features of infrastructure projects that make them particularly prone to corruption including size, uniqueness, complexity, the length and phasing of projects and the number of contractual links.

Strengthening transparency and accountability in public construction yields domestic and international benefits. Efforts to improve openness in the sector promise multiple benefits: improving the use of funds in public construction, resulting in better and more reliable infrastructure; freeing savings to extend social and economic services; and raising investor confidence. These benefits are shared amongst government, private sector and civil society.

For governments the benefits include, greater efficiency of public spending, improved quality of public services, improved business environment, public confidence, political reputation,reduction in risks to public safety and increased prospects for investment. For the private sector benefits include greater confidence that a 'level playing field' exists, a more predictable business environment and improved levels of trust, reducing reputational risk and improved access to financial markets. For the public the benefits include greater opportunities for public involvement and accountability, checks and balances to ensure value for money, assurances that corruption is being mitigated and better public services and infrastructure.

References

Construction Sector Tranpsarency Initiative (2012), 'Openness and accountability in public infrastructure could save [1] US$2.5 trillion by 2020', October 2012; Transparency International (2005), 'Global Corruption Report 2005', Transparency International, Berlin

Expert Organisations

Construction Sector Transparency Initiative (CoST) <u>http://www.constructiontransparency.org/</u>

World Bank Information and Communication Technologies http://go.worldbank.org/0SVRFYVD90

World Bank Transport http://go.worldbank.org/0SYYVJWB40

World Bank Water http://www.worldbank.org/en/topic/water

World Bank Sustainable Development http://www.worldbank.org/en/topic/sustainabledevelopment

Summary of illustrative commitments

Initial

- Commit to proactive disclosure of information on public construction projects in a timely manner

- Enable the sharing and discussion of assurance findings in multi-stakeholder forums

- Engage with the Construction Sector Transparency Initiative (CoST)

- Establish assurance of construction project information disclosure

- Integrate mechanisms for real-time citizen reporting and feedback on construction projects

- Integrate proactive disclosure of construction project information into existing government frameworks

- Join the Construction Sector Transparency Initiative (CoST) and develop a national programme

- Make national experience of construction transparency and accountability available for international exchange

- Publish all construction sector disclosures in machine-readable format

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Consumer protection

> 💡 **Lead author:** [Consumers International](#)

Introduction

A consumer can be defined broadly as a person who needs, uses or has used a particular service or product. In this sense, we are all consumers. Consumers make up the largest economic group, affecting and effected by almost every public and private economic decision. Yet often their views are not heard.

Individual consumers tend to be dispersed, while producers and traders can be organised and powerful, with greater access to information. Consumers are therefore more vulnerable to exploitation through deceptive advertising and selling, provision of substandard, fake and adulterated products, predatory loans and fraudulent, unethical and monopolistic trade practices. This can result in not only poor value for money, which undermines welfare and efficiency, but also presents risks to health and safety. Children, elderly people, disabled people, the poor, uneducated and illiterate are particularly vulnerable.

The principle of 'Caveat Emptor' (buyer beware) is not sufficient, and consumers need specific protections, and the rights to safety, choice, information, and redress. Consumer protection supports economic prosperity as it enables honest and efficient businesses to compete, and enables consumers to make the best use of resources.

The choices people make as consumers can have impacts on their health, safety, welfare and financial security, and that of those around them, and the wider environment. They also offer a means, by which, people can influence society. Demographic changes, economic growth, international trade and technology innovation are opening up new opportunities for consumer welfare, but are also creating new challenges. Enabling people to be informed and active consumers is critical to developing a participative, critical and competent citizenship.

In 1985 the UN General Assembly adopted the Guidelines on Consumer Protection (the "[UN Guidelines for Consumer Protection](#)") to assist countries in the development of legislation and policies to meet key 'legitimate needs' for consumers:

1. Protection from hazards to health and safety;

2. Promotion and protection of economic interests;

3. Access to adequate information to make informed choices;

4. Consumer education, including on environmental, social and economic impacts;

5. Availability of effective consumer redress;

6. Freedom to form consumer and other relevant groups and the opportunity to present their views in decision-making processes;

7. Promotion of sustainable consumption patterns.

Other closely related topics in this guide are [Public Services](#) and Privacy (forthcoming).

> Expert Organisations

Consumers International http://www.consumersinternational.org

OECD Committee on Consumer Policy http://www.oecd.org/sti/consumer/

Competition and Consumer Policies Branch (CCPB), UNCTAD http://unctad.org/en/Pages/DITC/CompetitionLaw/Competition-Law-and-Policy.aspx

Foundation for Effective Markets and Governance (FEMAG) http://femag.org.au/

ASEAN Committee on Consumer Protection http://www.aseanconsumer.org

EU Consumer Protection Cooperation Network http://ec.europa.eu/consumers/index_en.htm

International Consumer Protection and Enforcement Network (ICPEN) http://https://icpen.org/

IberoAmerican Forum of Consumer Protection Agencies (FIAGC) http://www.fiagc.org/fiagc/

Summary of illustrative commitments

Initial

- Develop a strategic plan for consumer protection

- Develop consumer protection laws in line with the UN Guidelines for Consumer Protection

- Enable consumers to access their own data

- Ensure that consumers are involved in standard setting

- Establish consumer education programmes

- Establish institutional mechanisms for enforcement of consumer protection

- Establish legal and institutional means for consumers and their organisations to participate in law and policy making

- Establish mechanisms for consumer redress

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Elections

> 💡 **Lead author:** National Democratic Institute

Introduction

Democratic elections serve two essential functions in any country: to provide the vehicle through which the people express their will as to who shall have the authority to govern; and to resolve peacefully the competition for governmental power. Through democratic elections citizens hold incumbents to account for their performance and promise to hold to account those who seek to be elected.

The obligation of governments to organise *genuine* elections, based on universal and equal suffrage, is interwoven with the right of citizens to participate in government and public affairs. Article 21 of the Universal Declaration of Human Rights (UDHR) states that the basis of the authority of government derives from the will of the people expressed in periodic and genuine elections. Article 25 of the International Covenant for Civil and Political Rights (ICCPR) states the governmental obligation to provide each citizen with the right and opportunity, without discrimination or unreasonable restriction, to vote and to be elected at genuine elections.

Citizens not only have a right to participate in elections, but also the right to know for themselves whether the electoral process is valid and free of corruption. The right to information is integral to electoral rights because it is impossible to participate meaningfully without information needed to make informed electoral choices. Access to information about electoral processes, including government held electoral data, and the steps taken by governmental institutions to establish accountability in the electoral context is fundamental to creating and reinforcing public confidence in the integrity of elections and the government that derives from them.

Genuine elections require administrative measures that ensure political impartiality of state institutions and personnel, vigorous enforcement of equality before the law and equal protection of the law. Unless the population is assured that citizens can participate in electoral processes free from the harms of violence, intimidation, threat of political retribution and other forms of coercion – and unless the population believes that votes will be accurately counted and honoured – barriers may undermine participation and the credibility of the electoral mandate. Unless electoral competitors are assured that they will be able to participate free from such harms and that they will have access to redress, including effective remedies for violations of their political rights, they may either choose not to participate or to turn to "self-help", such as political violence.

Even in established democracies maintaining public confidence in administrative impartiality and effectiveness can often become points of sharp controversy. Moreover, where electoral problems are significant and transparency is lacking, public trust in government can be severely damaged, which is hard to repair in any country. That damage can have important effects on governmental stability.

The growing arena of campaign and political finance is also important to electoral integrity. The role of money in politics, whether from private individuals or corporations, or whether from legal sources or organised crime, can impact significantly upon who competes in elections, how well they are able to spread their messages to the electorate, how they are able to develop their other organisational efforts and potentially how they may perform if they enter government (Transparency International, 2013; Öhman and Zainulbha, 2009; International IDEA, Political Finance Database; Open Congress, International Campaign Finance Literature Review).   Attention is increasingly turning to how to control the impact of money in politics so as to nurture its positive aspects, while controlling and counteracting negative influences.

References

Transparency International (2013), Buying Influence, Money and Politics in the Balkans, http://www.transparency.org/news/feature/buying_influence_balkans

Magnus Öhman and Hani Zainulbha, 2009, Political Finance Regulation: The Global Experience, International Foundation for Electoral Systems

International IDEA, Political Finance Database, http://www.idea.int/political-finance/sources.cfm

Open Congress, International Campaign Finance Literature Review, http://www.opencongress.org/wiki/International_Campaign_Finance_Lit_Review

Expert Organisations

ACE Electoral Knowledge Network http://www.aceproject.org

International IDEA http://www.idea.int

Electoral Institute for Sustainable Democracy in Africa (EISA) http://www.eisa.org.za

Global Network of Domestic [Citizen] Election Monitors http://www.gndem.org

National Democratic Institute for International Affairs (NDI) http://www.ndi.org

The Carter Center http://www.cartercenter.org/news/publications/peace/democracy_reports.html

Transparency International http://www.transparency.org

Summary of illustrative commitments

Initial

- Broaden and deepen opportunities for participation in public policy decisions related to election management

- Empower an ombudsman or similar office to receive, investigate and address citizen complaints concerning electoral processes

- Establish a legal framework for impartiality, effectiveness and transparency in elections

- Establish an independent expert panel to monitor procurement and application of election technologies

- Establish measures to safeguard administrative impartiality and provide training and access to information about them

- Establish open contracting rules for election related procurements

- Make available information related to electoral processes

- Make election related data available proactively

- Require consultation for any significant changes to electoral processes

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Environment

> 💡 **Lead author:** The Access Initiative

Introduction

People depend on a healthy environment for life and livelihoods. However decisions that have significant environmental and social consequences are often made without the involvement of those whose interests are directly at stake. In order to safeguard the quality of the environment, it is essential to empower communities, individuals and civil society organisations (CSOs) to take part in decision-making.

Public participation improves the legitimacy of decisions, helps build stakeholder capacity, improves implementation and improves sustainability of decisions (UNEP, 2012). Open and transparent processes enable citizens to identify environmental issues and problems, become engaged in decision-making processes and hold government agencies, officials and companies accountable (Foti et al, 2008). They also allow the private sector to address environmental issues earlier on and in a cost effective manner.

Principle 10 of the Rio Declaration from 1992 states that environmental issues are best handled with the participation of all concerned citizens (UNCSD, 1992). It states that each individual shall have:

- **Access to information** concerning the environment;
- The **opportunity to participate** in decision-making processes; and
- Effective **access to justice.**

Many countries, regardless of their level of economic development, have promoted these pillars as policy aspirations or as enforceable legal rights. Yet, even where progress has been significant, more work remains if such laws are to be implemented in a way that is meaningful to all citizens.

References

UNCSD, 1992, Rio Declaration

UNEP, 2012, Bali Guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/GUIDELINES_TO_ACCESS_TO_ENV_INFO_2.pdf

Foti, Joseph with Lalanath de Silva, Heather McGray, Linda Shaffer, Jonathan Talbot, and Jacob Werksman, 2008, Voice and Choice: Opening the Door to Environmental Democracy, Washington DC: WRI. http://pdf.wri.org/voice_and_choice.pdf

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Expert Organisations

The Access Initiative http://www.accessinitiative.org/

United Nations Environmental Programme (UNEP) http://www.unep.org/environmentalgovernance/

United Nations Institute for Training and Research: Principle 10 Project http://www.unitar.org/egp/rio-principle-10-projects

United National Economic Commission for Europe http://live.unece.org/env/pp/welcome.html

Summary of illustrative commitments

Initial

- Adopt legal requirements for the collection and production of environmental information

- Develop public disclosure programmes on corporate environmental impacts

- Establish independent mechanisms for access to justice in environmental affairs

- Establish procedures for ensuring poor and marginalised groups are included in public engagement on environmental decisions

- Introduce procedures for public comments and hearings for environment related decisions

- Publish the decisions, responses and reasons on environmental approvals

- Reduce the costs to initiate and carry out environmental litigation

- Support citizens and their organisations to access and use environmental information

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Extractive industry

> 💡 **Lead author:** <u>Revenue Watch Institute</u>

Introduction

Many resource-rich developing countries fail to realise the full development potential of their natural resources. This is especially acute in the case of oil, gas, and mineral resources. Evidence from many resource-rich countries shows their performance on human development indicators compares unfavourably to less-endowed countries. At the root of this underperformance—often referred to as the "resource curse"—is the failure by governments to properly address the institutional and policy challenges that come with natural resources. (IMF, 2010)

More than 50 countries depend on oil, gas and minerals as their most important sources of government and export revenues. Large-scale fisheries, forestry and leasing of agricultural lands are also becoming important sources of revenue. As the government is managing such resources in trust for the people, the people have a right to know what is being done with their natural wealth.

Mismanagement and corruption have many manifestations and can have dire consequences. Some countries negotiate poor terms with extractive companies, forsaking potential long-term benefits. Many countries do not collect resource revenues effectively. And even when resource revenues do end up in government coffers, they aren't always spent in ways that benefit the public. (Revenue Watch, 2013).

Transparency and accountability are crucial in the governance of natural resources, from the decision to extract to the granting of concessions, the collection of revenues and the management of resource revenues. This can increase the efficiency of government policies, reduce opportunities for self-dealing and diversion of revenues for personal gain, raise the level of public trust and reduces the risk of social conflict. An informed and engaged public can hold the government to account, but will also help ensure that complex, large-scale projects meet government standards for environmental and social protection as well as revenue generation.

Public disclosure requirements can improve the quality of data the government gathers and maintains. This makes it easier for relevant bodies such as financial, energy and mining ministries, as well as environmental and regulatory agencies, to do their jobs. Reliable and frequent data can make it easier for governments to plan and manage their budgets and long-term development plans. Transparency also reduces the cost of capital.(Hameed, 2005)

NB: This topic relates to oil, gas, mining, forestry and fisheries as well as to the leasing of agricultural lands. However there are also separate sections dealing with specific issues in the forestry, fisheries and land sectors. This topic relates to oil, gas, mining, forestry and fisheries as well as to the leasing of agricultural lands. However there are also separate sections dealing with specific issues in the forestry, <u>fisheries</u> and <u>land</u> sectors. Other critical steps in support of extractive industry transparency and integrity are the enactment and implementation of <u>Right to Information</u> laws and the requirement that officials with a role in the oversight of the extractive sector disclose any <u>conflicts of interest</u>.

References

IMF, 2010, 'Managing Natural Resource Wealth', Program Document.

Revenue Watch, 2013 'Resource Governance Index'

Hameed, Farhan, 2005, Transparency and Economic Outcomes, IMF Working Paper

Expert Organisations

Revenue Watch Institute http://www.revenuewatch.org/

Extractive Industry Transparency Intiative http://eiti.org/

Natural Resources Charter http://naturalresourcecharter.org/

OGP Working Group: Extractives http://www.opengovpartnership.org/get-involved/join-working-group

Summary of illustrative commitments

Initial

- Create a national strategy for the extractive sector, through an open and participative process

- Create a public web registry of all natural resource concessions

- Create mechanisms for the public and legislators to engage in extractive concessioning

- Disclose contracts signed with extractive companies

- Make all rules and regulations for natural resource licenses and concessions available in a public database

- Publish comprehensive financial reports on natural resource funds

- Publish environmental and economic impact studies for all natural resource projects

- Publish resource-related revenue transfers to sub-national governments

- Publish timely, comprehensive reports on oil, gas and mining operations, including detailed revenue and project information

- Require all listed companies to disclose resource related payments on a project by project basis

- Require state owned enterprises to publish comprehensive reports

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Fisheries

💡 **Lead author:** <u>Chr. Michelsen Institute (CMI)</u>

Introduction

Global problems facing the marine fisheries sector, including overfishing and the marginalization of the small-scale sector, are leading to increased international awareness of the need to improve transparency in fisheries governance.

Data collated by the United Nations Food and Agriculture Organization (FAO) shows that since the early 1980s total landings of fish from the sea have decreased steadily and the majority of commercially targeted fish stocks are fully exploited or overexploited. The global commercial fishing fleet is now estimated to be at least twice the size needed to catch marine fish sustainably, and many forms of industrial fishing cause high levels of by-catch and discards. The World Bank has estimated that, due to subsidies, waste and unsustainable management, losses from marine fisheries exceed $50 billion per year (World Bank, 2009).

The inability to stem overfishing represents a profound failure of governance on national and international levels. Lack of transparency and government openness is increasingly recognised as part of the problem. In many coastal and island states, basic information on which companies are allowed to fish, how much these companies can catch, how much revenue is being generated from fisheries and how this is being spent is obscured from the public. Commercial fisheries tend to be secretive, aided by the fact that they operate 'off-shore' and out of sight. Studies on illegal fishing in Africa, which has been conservatively estimated to be worth $1 billion each year, claim that levels of illegal fishing are closely related to proxies of good governance, including transparency, media freedom and the rule of law (MRAG, 2005).

Citizens living in Africa, Asia-Pacific and Latin America disproportionately feel the negative impacts of governance failure, corruption and overfishing. This is partly due to the importance of marine fisheries to national incomes, diets and livelihoods in many poorer coastal and island states. Lack of transparency is not only undermining the effectiveness of fisheries management and denying national revenues; it is also obscuring the true value of marine resources, as well as the social and economic cost of losing them. Less than half of African countries publish data on fish catches and exports, and illegally caught fish may account for up to 30% of fish trade worldwide (FAO, 2010). A commitment by governments, in all regions, to be more open about the management of fisheries would lead to improved knowledge about the actual and potential contribution of fisheries, which in turn may stimulate political will to better address the threats caused by overfishing and the further degradation of marine ecosystems (Standing, 2011).

References

World Bank (2009) The Sunken Billions: The Economic Justification for Fisheries Reform, World Bank, Washington D.C., http://www.imcsnet.org/imcs/docs/sunken_billions_report.pdf

MRAG (2005) Review of Impacts of Illegal, Unreported and Unregulated Fishing on Developing Countries, Marine Assessment Resources Group, London, http://transparentsea.co/images/5/58/Illegal-fishing-mrag-report.pdf

FAO (2010) State of World Fisheries and Aquaculture 2010, Food and Agriculture Organization of the United Nations, Rome, http://www.fao.org/docrep/013/i1820e/i1820e.pdf

Standing, A. (2011) Making transparency work in Africa's marine fisheries, U4 Anti-Corruption Resource Centre/Christian Michelson Institute, Bergen, http://www.u4.no/publications/making-transparency-work-in-africa-s-marine-fisheries/

Expert Organisations

United Nations Food and Agriculture Organization (FAO) http://www.fao.org/fishery/en

fishsubsidy.org http://www.fishsubsidy.org/

Environmental Justice Foundation http://ejfoundation.org/oceans/fisheries-transparency

Coalition for Fair Fisheries Arrangements http://www.cape-cffa.org/

Stop Illegal Fishing http://www.stopillegalfishing.com/

Summary of illustrative commitments

Initial

- Produce a comprehensive annual report on marine fisheries

- Publish complete and up-to-date information on penalties and fines imposed on individuals and companies for illegal fishing activities

- Publish comprehensive information on subsidies paid to the fisheries sector

- Publish detailed and up-to-date information on the proposed contents of bilateral fisheries access agreements

- Require national fishing authorities to publish detailed and timely information on commercial fishing licences and catch quotas

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Land

> 💡 **Lead author:** <u>Global Witness</u> and <u>Cadasta Foundation</u>

Introduction

A well-functioning land sector can boost a country's sustainable economic growth, foster social development, protect the rights of vulnerable groups and support environmental protection. However, weak governance of land and land rights has in many countries hindered the achievement of these developmental objectives.

Land governance concerns the processes and procedures relating to the recognition, registration and enforcement of land tenure rights, land use administration, management planning and taxation, the provision of information on land holdings and mechanisms for the resolution of land disputes. Governments play a crucial role in ensuring these processes are carried out – ideally through transparent, fair and efficient processes, and that the human rights of all individuals and groups are protected. Accurate information regarding land rights is critical if governments are to make responsible decisions about how best to optimise land and natural resource access and use in order to maximise the developmental potential from their land. Improving the completeness and openness of land information data enables government agencies to better understand the potential costs and benefits of resource use options, to secure land rights and tenure, and to enable distribution of financial benefits from resource extraction that are in accordance with law. Consultation with those potentially affected by changes in land legislation, policies or tenure can help communities and households protect their rights.

Investment in land has the potential to improve livelihoods and food security, increase agricultural productivity, and support broader economic growth (Deininger et al, 2011). However all too often, the acquisition of large areas of land for commercial investment has had devastating socio-economic, environmental, and governance impacts (High Level Panel of Experts, 2011). Such problems are particularly accentuated in countries where customary and collective tenure rights are not recognised in law, large levels of urban informal settlements exist, or in practice, and where governance is generally weak.

Common principles to address these challenges through recognising and securing land tenure rights have emerged. For example, <u>The Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security</u> (VGGT) were agreed in 2012. Developing one critical pillar of the VGGTs further, the Principles for Responsible Investment in Agriculture and Food Security were approved by the Committee for Food Security and endorsed by representatives of the private sector, governments, donor organisations, UN agencies, research institutions and academia, following a global consultation processes. The Principles for Responsible Investment in Agriculture and Food Systems are intended to provide guidelines for investors in agricultural and projects, whereas the VGGT are intended to provide guidance for governments in their land governance processes.

The negative impacts associated with "land grabbing" (defined as 'land acquisition in violation of human rights and environmental or social safeguards' (International Land Coalition, 2011) remain the critical topic in the land sector (agricultural, natural resources, and urban settings). However, strengthening land rights and tenure security also depends on broader reforms and improvements in land governance.

At the 2013 G8 summit, host country the United Kingdom stressed its commitment to promoting greater transparency, including with regard to land governance, and stated that unclear land ownership rights and weak systems for managing land creates uncertainty which stops farmers and companies wanting to invest, and in turn threatens food security and increases the likelihood of local conflicts over land.

The basic underlying principles of the VGGTs, the Principles for Responsible Investment in Agriculture and Food Security, when coupled with Open Data initiatives, and the opportunities for commitments and action provided by the Open Government Partnership, provide a mandate and template for reform of the land sector.

References

The Land Matrix, http://landmatrix.org/ (last accessed June 2013)

Deininger, K., Byerlee, D., Lindsay, J., Norton, A., Selod, H., Stickler, M. (2011) Rising Global Interest in Farmland: Can it Yield Sustainable and Equitable Benefits. The World Bank. http://siteresources.worldbank.org/INTARD/Resources/ESW_Sept7_final_final.pdf

High Level Panel of Experts (2011) Land tenure and international investments in agriculture, A report by the High Level Panel of Experts on Food Security and Nutrition of the Committee on World Food Security; Rome. http://www.fao.org/fileadmin/user_upload/hlpe/hlpe_documents/HLPE-Land-tenure-and-international-investments-in-agriculture-2011.pdf

International Land Coalition (2011) Tirana Declaration. http://www.landcoalition.org/about-us/aom2011/tirana-declaration

UK Government. (2013) G8 Factsheet: Transparency, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206013/G8_factsheet_transparency.pdf

Locke, A.; Henley, G. (2014) Topic Guide: Land. Evidence on Demand, http://dx.doi.org/10.12774/eod_tg.mar2014.lockehenley

Expert Organisations

Global Witness http://www.globalwitness.org/

Food and Agriculture Organisation (FAO) http://www.fao.org/nr/tenure/lt-home/en/

Global Land Tool Network http://www.gltn.net/

LANDac, Academy on Land Governance for Equitable and Sustainable Development http://www.landgovernance.org/

Landesa http://www.landesa.org

Landportal.info http://landportal.info/

Cadasta Foundation http://www.cadasta.org

Natural Resource Governance Institute (NRGI) http://www.resourcegovernance.org/

Summary of illustrative commitments

Initial

- Carry out a baseline assessment of the openness, effectiveness and accessibility of current land governance structures, capacity and procedures

- Codify and implement protocols for meaningful consultation with those potentially affected by large-scale land investments

- Develop a process for open contracting of large-scale land investments

- Develop an open process for identifying and providing formal protection for land rights

- Implement the Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security

- Make existing land tenure and land holding registries public and accessible

- Nominate independent grievance mechanisms for those affected by large scale land investments

- Require public disclosure of information about land holdings and transfers

- Undertake participatory land and resource use planning

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Open government data

> 💡 **Lead author:** [Sunlight Foundation](#) and [Open Knowledge Foundation](#)

Introduction

Open Data is the idea that data should be freely available for everyone to access, use and republish as they wish, published without restrictions from copyright, patents or other mechanisms of control. Public sector information made available to the public as open data is termed 'Open Government Data'.Governments and their contractors collect a vast quantity of high-quality data as part of their ordinary working activities. Typically this results in the state becoming a powerful data monopoly able to structure and homogenize the interactions between itself and its citizens. These one-sided interactions are expensive and unresponsive to citizens' needs and can unnecessarily restrict government activities, as well.

Opening government data involves both policy and technical considerations. If governments' data is made open, it can have huge potential benefits including:

- **Transparency:** In a well-functioning, democratic society citizens need to know what their government is doing. To do that, they must be able freely to access government data and information and to analyse and share that information with other citizens.

- **Efficiency:** Enabling better coordination and efficiency within government, by making data easier to find, analyse and combine across different departments and agencies.

- **Innovation**: In a digital age, data is a key resource for social and commercial activities. Everything from catching a bus to finding a doctor depends on access to information, much of which is created or held by government. By opening up data, government can help drive the creation of innovative business and services that deliver social and commercial value.

Where many public records laws and policies regulating the [right to information](#) have traditionally relied on *reactive* disclosure, meaning public information has to be requested before it is shared, a government fully engaged in open data is choosing to *proactively* disclose information – meaning public data is released as it is collected and before it is requested. Put another way, the vision of open data is for government information to be 'open by default'.Open data also has a number of technical implications, with special consideration given to the particular formats chosen for data release. Open formats are those that are structured and non-proprietary, allowing the public and the government to extract maximum value from the information now and in the future.

Governments around the world cite many different reasons for starting open data initiatives, including increasing government transparency and accountability, catalysing the creation of new digital services and applications for citizens, unlocking the full economic potential of public information, and evolving current government services for anticipated future needs. Although much of this top-level government interest is new, there are many professions and communities engaged in dialogue, policy, and development around this issue, including from government officials, journalists, developers, transparency reformers, issue advocates, and interested citizens.

Expert Organisations

Global Open Data Initiative http://globalopendatainitiative.org/

Sunlight Foundation http://sunlightfoundation.com/

Open Knowledge Foundation http://okfn.org/

World Bank's Open Government Data Working Group http://data.worldbank.org/

Web Foundation http://www.webfoundation.org/

Open Institute http://openinstitute.com/

OGP Working Group: Open Data http://www.opengovpartnership.org/get-involved/join-working-group

Summary of illustrative commitments

Initial

- Create or appoint an oversight authority

- Create public listings of government data, and audit data availability and management

- Create unique identifiers for organisations, things and places

- Develop a government-wide policy on open data, through an inclusive process

- Establish a strong, public commitment to opening data

- Establish new legal rights to empower the public

- Identify and publish some public information as open data

- Mandate the publication of new data sets

- Proactively engage with and support data users

- Require that open data commitments apply to all organizations handling public data

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Parliaments

🔵 **Lead author:** <u>National Democratic Institute</u>

Introduction

Citizen participation in democracy begins at the ballot box. But <u>genuine elections</u> – no matter how free and fair – are insufficient in ensuring that elected officials are accountable and responsive to citizens. Parliaments are the citizens' institutions. As the representative branches of democratic governments, parliaments are meant to provide citizens with links to the policy-making process and with methods of holding the executive branch to account. As a place for informed debate on the issues affecting citizens, parliaments are ultimately responsible for finding compromise among competing interests, enacting these compromises into laws, and ensuring their successful implementation.

The <u>Inter-Parliamentary Union</u> characterizes the "democratic parliament" as one that is representative of the social and political diversity of a people, transparent in the conduct of its business, accessible to the involvement of citizens and interest groups, accountable for its performance, and effective in organizing and conducting its work. Parliaments have gathered in regional and international venues across the globe to discuss the specific characteristics of a democratic parliament, emphasizing these same values.

The concept of parliamentary openness is a crucial factor in enhancing how parliaments function. The <u>Declaration on Parliamentary Openness</u> is a normative framework developed by the OpeningParliament.org community of parliamentary monitoring organizations, with the support of several parliaments and parliamentary associations. The Declaration states that parliamentary openness "enables citizens to be informed about the work of parliament, empowers citizens to engage in the legislative process, allows citizens to hold parliamentarians to account and ensures that citizens' interests are represented." It is this connection with citizens that deepens the legitimacy of parliament and, in turn, provides an incentive for parliaments to promote a culture of openness in government more broadly.

The illustrative commitments outlined herein represent a sample of possible commitments parliaments can make to become more open and engaging of citizens. As illustrative commitments, these ideas represent a sampling of measures taken by parliaments around the world. Efforts to design and implement commitments to further open parliaments must recognize differences among parliamentary systems. They must also recognize differing levels of parliamentary and governmental resources, as well as differences stemming from a country's historical and political context. Nevertheless, meaningful commitments to advance parliamentary openness should demonstrate a respect for citizens' right to openness, participation and accountability, as well as a desire to deepen the relationship of trust between citizens and their parliaments more broadly.

Expert Organisations

National Democratic Institute <u>http://www.ndi.org/</u>

OpeningParliament <u>http://www.openingparliament.org</u>

Global Centre for ICT in Parliament <u>http://www.ictparliament.org/</u>

Inter-Parliamentary Union <u>http://www.ipu.org/</u>

The Latin American Network for Legislative Transparency <u>http://www.transparencialegislativa.org/</u>

OGP Legislative Openness Working Group <u>http://www.opengovpartnership.org/get-involved/join-working-group</u>

Summary of illustrative commitments

Initial

- Conduct targeted outreach to youth and historically marginalized communities

- Define clear rules on parliamentary openness and integrity, and develop capacity to implement them

- Develop and share open-source parliamentary software

- Develop digital platforms and capacities to enable citizen engagement with parliament

- Enable citizens to engage with parliaments and MPs using mobile and SMS technology

- Enable citizens to provide input into the legislative process

- Ensure that parliamentary openness procedures are in line with international good practice

- Make parliamentary information easier to understand and accessible to citizens through multiple channels

- Partner with external groups to enhance citizen participation with parliament

- Proactively publish information about parliament's roles, functions and work online

- Publish parliamentary information in open formats

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Police and public security

> 💡 **Lead author:** <u>Open Society Foundation</u>

Introduction

Across the globe, the primary point of contact many citizens have with their government is a police officer. Competent, honest and effective law enforcement is a mainstay of the rule of law. Insufficient or ineffective investment in the public security sector can result in weak or non-functioning security institutions, unable to respond to or deter crime and violence. Given the extraordinary power and authority vested in the police, accountability is particularly important in addressing problems of corruption, discrimination, abuse of power and anti-democratic use of police. For these to be exposed and addressed requires sound governance and accountability of the police, supported by transparency.

Countries organise their police systems in different ways. Most of them have more than one police force, for example national, state or regional police, local or municipal police, gendarmerie, and judicial police. Some also undertake military duties, and in some cases military forces may supplement national police forces in national emergencies or, in specific circumstances that are clearly defined and restricted under law, help carry out basic police functions. There may also be special police forces or units such as tax and military (or para-military) and drug enforcement police. Whatever the form the police and public security forces take, it is important that information about laws and the way they are enforced is open to the public, and that policing is accountable. As with any other public service, the police force is paid for by the public and therefore should be ultimately accountable to citizens. Issues of security and safety are of profound concern to the entire population but are often 'owned' by police and political authorities.

Key principles of democratic policing are;

- Police give priority to serving the needs of individual citizens and private groups

- Police are accountable to law

- Police respect and protect human rights, particularly those necessary for unfettered democracy

- Police are professional and transparent in their activities (Bruce and Nelid, 2005)

The establishment and consolidation of democratic policing require that governments see the police as an instrument for protecting the safety and democratic rights of the people, and establish mechanisms and institutions to ensure that police are accountable and act with integrity. A further concern is that police themselves are fairly treated by their own institution – police corruption often takes a heavy toll on officers' conditions of service – and this in turn has direct outcomes for service delivery and police efficiency.

Going beyond this, it is increasingly recognised that community participation is crucial to enhancing safety and public order, solving and preventing crime. Police departments enjoy greater support when the public understand police procedures, believes that they are fair and that officers are held accountable for their actions and performance. Active participation by local people requires a new approach to policing (often termed 'community policing') in which the police are better integrated into communities, are seen to listen and respond to concerns, and actively engage people and communities. This involves a change in organisational values, management style, training and evaluation of police officers. The benefits of this approach come in better community relations, improved police legitimacy and public support, more effective problem solving and increased information for the police (OSCE, 2008).

New technologies open up new opportunities for collecting evidence, targeting police resources and enhancing efficiency, and monitoring the performance and conduct of police, but they also raise important privacy concerns, which need to be addressed with robust safeguards.

References

Bruce, D and Neild, R, 2005, The Police we Want: A handbook for oversight of police in South Africa, Centre for the Study of Violence and Reconciliation

OCSE, 2008, Good Practice in Building Police-Public Partnerships, OCSE. http://www.osce.org/spmu/32547

Expert Organisations

Open Society Foundation http://www.opensocietyfoundations.org

United Nations Office on Drugs and Crim http://www.unodc.org

OSCE Polis http://polis.osce.org

Transparency International http://www.ti-defence.org/publications/1431-arresting-corruption-in-the-police

Altus http://www.altus.org

International Network to Promote the Rule of Law http://www.inprol.org

DCAF http://www.Dcaf.ch

Summary of illustrative commitments

Initial

- Create on-line crime and policing maps

- Develop a system of regular public surveys about crime and policing

- Establish integrity provisions for police officers, in line with international good practice

- Establish more extensive proactive disclosure requirements for police

- Establish safeguards to ensure that new technologies used for police surveilence respect the right to privacy

- Publish all laws setting out law enforcement powers and complaints and whistleblower proceedures in relation to policing

- Publish basic information on police budgets, personnel and crime

- Publish comprehensive national crime statistics to international standards

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Privacy and data protection

> 💡 **Lead author:** <u>Open Rights Group</u>, <u>Privacy International</u> and

Introduction

Privacy is an internationally recognised human right, enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the constitutions of more than 100 countries across the globe. Privacy is not only an important right in itself, but it is a key element of individual autonomy and dignity, and a strong enabler of political, spiritual, religious and even sexual freedoms. It is central to defining the relationship between a citizen and their government. Concrete expressions of the right to privacy are context specific, and may reflect cultural and societal differences.

The right to privacy encapsulates a right to protection of personal data: individuals have the right to decide whether to share or exchange their personal information and on what terms. Technologies are rapidly changing the nature and value of information, with huge volumes of personal data rapidly generated, transmitted, shared and collated. It is essential that governments are transparent and accountable in their handling of citizens' personal information.

The right to privacy and the <u>right to information</u> – and freedom of expression – are both essential human rights and need to be balanced on a case by case basis. There are occasions when these rights will be in conflict, such as in mandating disclosure of the private interests of politicians. But in most cases these "information rights" are not opposed, and in fact mutually reinforce each other. They work in tandem to hold the powerful to account by establishing the right to know, mainly about the government, but also what information the government and relevant institutions may hold and utilise in decisions about a citizen (Banisar, 2011).

Transparency efforts that respect privacy will try to correct information asymmetries between the powerful and rest of the population, while minimising intrusion to what is necessary to make the powerful accountable. Privacy should not be used as an excuse to avoid proper scrutiny.

Open government and transparency programmes place more information in the public domain, and can generate negative reactions if ordinary citizens feel that it is they – and not the powerful – who are exposed. The publication of health records, tax returns or even court transcripts have all proved problematic for individual privacy in different contexts. Technologies used for accountability – for example apps and websites collecting complaints about corruption – can have serious privacy implications. Such technologies involve the collection or storage of large amounts of potentially sensitive data, and as such raise risks of identification by third parties, and unforeseen access to data by governments (Open Rights Group, 2014).

The rights to privacy and data protection have a bearing on a multitude of government institutions, but are also important in the regulation of the private sector, including NGOs involved in development projects.

Police and security services are special cases since their responsibilities involve non-consensual intrusion into the private sphere in pursuit of public aims such as criminal justice and the protection of public safety and national security. Privacy issues relate to search and seizure powers, communications surveillance activities, and the establishment of DNA databases. The chapter of this guide on the <u>Police</u> and Security Sector contains specific recommendations.

The recommendations in this chapter are not prescriptive but examples to be adapted to local circumstances in order to enhance existing protections.

References

Open Rights Group (2014) Open Data and Privacy Primerhttps://www.openrightsgroup.org/ourwork/reports/open-data-and-privacy-primer

Banisar, D. (2011) The Right to Information and Privacy: Balancing Rights and Managing Conflicts, Washington DC: World Bank. http://wbi.worldbank.org/wbi/Data/wbi/wbicms/files/drupal-acquia/wbi/Right%20to%20Information%20and%20Privacy.pdf

Expert Organisations

Privacy International http://https://www.privacyinternational.org/

Open Rights Group http://https://www.openrightsgroup.org/

Electronic Frontier Foundation http://https://www.eff.org/

OECD http:// www.oecd./sti/security-privacy

Global Privacy Enforcement Network http://https://www.privacyenforcement.net

Summary of illustrative commitments

Initial

- Assess the public privacy impact of open government programmes

- Enact privacy and data protection legislation

- Establish a programme of public education about protecting personal information

- Establish safeguards to ensure that new technologies used for surveillance and interception respect the right to privacy

- Give citizens control of their personal information and the right to redress when that information is misused

- Incorporate 'privacy by design' in open government and transparency programmes

- Introduce guidelines for the handling of personal information in open government programmes

- Publish details of computer algorithms used by government

- Publish laws regulating the surveillance powers of law enforcement and intelligence agencies

- Publish transparency reports about surveillance, interception and access to communications data

- Reform legislation relating to surveillance by state agencies to ensure it complies with human rights

- Repeal any requirements compelling the identification of phone or internet users

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Public contracting

> 💡 **Lead author:** [Open Contracting Partnership](#)

Introduction

Governments spend and receive vast sums of money —some US$9.5 trillion, a whopping 15% of global GDP— every year on deals to build infrastructure, deliver goods, and provide services to their citizens or to rent out state assets (Kenny, 2014).

Governments buy these goods and services through contracts. This contracting may not be a topic that immediately gets the heart racing, but it is vital. Contracts are the bricks and mortar of public benefit, where taxpayers' money gets converted into tangible products that citizens care about: schools, roads and hospitals.

It is critical that public contracts should be fairly awarded and offer good value-for-money. When government and business meet, rules need to be clear and deals open to the public. Governments need to show how they spent money, with whom, and on what. Put simply, they need to show both the dollars and the deals.

All too often deals happen in secret, are badly executed, or are technically so complicated that no one can understand them. Only 6% of 86 countries surveyed publish open data on government contracts (Open Data Barometer, 2015). This is bad for business, bad for taxpayers, and lethal for public integrity.

The OECD, the European Commission, the World Economic Forum and UN Office of Drugs and Crime all agree that public contracting and procurement is the government activity most vulnerable to wastefulness, mismanagement, inefficiency, and corruption.[1] Some 57% of foreign bribery cases prosecuted under the OECD Anti-Bribery Convention involved bribes to obtain public contracts (OECD, 2014).

Scandals and human tragedy from contracting disasters abound: 'tofu' schools, constructed to substandard specifications in an earthquake zone, that fell down on their students;[2] billions of dollars misappropriated through secret deals and asset flips in the oil and mining sectors;[3],[4] provision of fake medicine and medical equipment that kills patients;[5] outrageous overcharging or spectacular service delivery failures, including charging for services to dead people;[6],[7] and huge Olympic construction boondoggles.[8]

Even in more prosaic projects there can be huge differences in costs: a detailed comparative study by the World Bank showed that the same piece of road, built to the same specifications, can cost almost half as much in a corrupt country than a better governed one (Kenny, 2010). These costs are almost always disproportionately borne by the poor.

Openness pays huge returns on investment. South Korea's transparent e-procurement system KONEPS saved the public sector US$1.4 billion in costs (OECD, 2015). It also saved businesses US$6.6 billion. Time taken to process bids dropped from 30 hours to just two.

Open contracting provides publicly accessible, timely and comparable data on government contracts. This data on infrastructure projects and vital goods and services allows citizens and business to engage with government on the issues they care about. Through integrating feedback, government becomes accountable. This process will unlock innovation once it becomes routine.

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[2] South China Morning Post. 6 May, 2013. The shame of Sichuan's tofu schools.

[3] Global Witness (2014). Congo's Secret Sales.

[4] Africa Progress Panel (2013). Equity in Extractives. Stewarding Africa's natural resources for all.

[5] WHO (2013). Deadly medicines contamination in Pakistan.

[6] The Daily Telegraph. 21 May 2013. Timeline: how G4S's bungled Olympics security contract unfolded.

[7] Financial Times. 4 November 2013. G4S and Serco face UK criminal probe into tagging contracts.

[8] Wall Street Journal. 6 February 2014. The Putin Games. Peter the Great opens the Sochi "Korumpiad".

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Kenny, C. (2010). Publish Construction Contracts and Outcome Details. World Bank Policy Research Working Paper 5247. http://elibrary.worldbank.org/doi/book/10.1596/1813-9450-5247

OECD (2015). Transparency in public procurement – moving away from the abstract, http://oecdinsights.org/2015/03/27/transparency-in-public-procurement-moving-away-from-the-abstract/

Expert Organisations

Open Contracting Partnership http://www.open-contracting.org/

Open Contracting Data Standard Helpdesk http://data@open-contracting.org

World Bank Governance Global Practice http://www.worldbank.org/en/topic/governance

Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ http://https://www.giz.de/en/html/index.html

Construction Sector Transparency Initiative http://www.constructiontransparency.org/home

Hivos http://https://www.hivos.org/

Affiliated Network for Social Accountability East Asia and Pacific http://www.ansa-eap.net

Development Gateway http://www.developmentgateway.org/

Young Innovations http://younginnovations.com.np/

Quinta Group http://quintagroup.com/services/why-quintagroup/mission

Prozorro http://prozorro.org/en/

Open Data Services http://www.opendataservices.coop/

Public and Private Development Centre http://procurementmonitor.org/ppdc/   67 / 178

Transparency International, including local chapters in Mexico, Georgia, Czech Republic, Ukraine, and Slovakia
http://www.transparency.org

Summary of illustrative commitments

Initial

- Assess transparency and accountability of current system

- Disclose key documents and data

- Engage civil society and business in the use of open contracting data

- Facilitate funding to support participation in public contracting

- Link open contracting data with other sources of data

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Public services

💡 **Lead author:** <u>Twaweza</u> and <u>Involve</u>

Introduction

The provision of public services—such as health care, education, sanitation and criminal justice—is a key task for government. People care about public services and depend on them being delivered well. Public services provide the most common interface between people and the state, and their functioning shapes people's sense of trust in and expectations of government. At a national level, public services underpin human welfare and economic growth.

Public services need to be delivered with integrity, centred around citizens, and responsive to their needs, particularly the needs of the most vulnerable. Promoting greater transparency and enabling ordinary citizens to assess the quality, adequacy and effectiveness of basic services, to voice their needs and preferences and to become involved in innovation offers an opportunity to enable better use of public funds, and improve service delivery (Ringold et al, 2013)

Public services account for a large proportion of government budgets, but increased spending has often not been matched by improvements in outcomes. In the worst case, public services can be bedeviled by corruption which leads to money intended for books, teachers, dispensaries, medical supplies and infrastructure being syphoned off by officials or private contractors (World Bank, 2004). Around the world, children still leave school are unable to read and do basic arithmetic, and the quality of healthcare remains uneven. Data show that just increasing resources, equipment, financial, or personnel, does not guarantee that the quality of education or health care will improve. The quality of service delivery is critical.

Even where the integrity of public resource flows can be secured, approaches to public service delivery designed for a previous age struggle to respond to present day needs driven by complex challenges, such as those created by aging populations, chronic health conditions, mega cities and poverty and inequality.

Public services are traditionally organized in a way that puts the public in a passive role, as the recipient of a standardised service. This contrasts with innovations in other areas of life such as retail, travel and media where people are used to giving feedback on the goods and services they receive, and playing an active role in making choices. Citizens are connected like never before and have the skill sets and passion to solve problems. Local people often know what the solutions to problems in their area, but are rarely empowered by bureaucratic processes, instead facing public services which may be impersonal, irrelevant, and inefficient.

Governments are experimenting with redesigning parts of the system so that citizens can play a more active role as a user community for public services. This can mean participative processes and forums, community monitoring and citizens' budgets, or new forms of commissioning. Technology and open data enable a different kind of participation. Open government data APIs allow anyone to write a citizen-facing application using government data, creating new interfaces to government, and opening up new possibilities. (Lathrop et al, 2010)

However translating information into action is a difficult challenge. The relationships between citizens, policy-makers, program managers, and service providers are complicated and are not easily altered through a single intervention, such as an information campaign or scorecard exercise. (Ringold et al, 2012)

Particular attention needs to be given to human motivation and incentives.Research by Twaweza in Uganda for example found that formal information sources were not seen as particularly influential and citizens are often either too afraid to act, do not

consider it their responsibility or do not know what to do.(Twaweza, 2013)

References

Lathrop, Daniel and Laurel Ruma, 2010, Open Government, Collaboration, Transparency and Participation in Practice, O'Reilly Media https://github.com/oreillymedia/open_government

Ringold, Dena, Alaka Holla, Margaret Koziol and Santhosh Srinivasan, 2012, Citizens and Service Delivery: Assessing the Use of Social Accountability Approaches in Human Development, Washington DC: World Bank

World Bank, 2004, World Development Report 2004: Making Services Work for Poor People, Washington D.C.: World Bank

Twaweza, 2013, Uganda baseline report http://twaweza.org/uploads/files/TwawezaBaselineReport-AllD-18April13.pdf

Expert Organisations

World Bank The Participation and Civic Engagement Group http://go.worldbank.org/FMRAMWVYV0

OECD http://www.oecd.org/gov/publicengagement.htm

Twaweza http://www.twaweza.org

Involve http://www.involve.org.uk

Feedback labs http://feedbacklabs.org

Govlab http://thegovlab.org/

South Asia Social Accountability network http://www.sasanet.org/

Affiliated Network for Social Accountability in East Asia and the Pacific http://www.ansa-eap.net/

Affiliated Network for Social Accountability http://www.ansa-africa.net

Summary of illustrative commitments

Initial

- Establish easy feedback mechanisms for public services

- Involve citizens in the commissioning, design, delivery and assessment of public services

- Provide cooperation to independent monitoring efforts and take action on issues raised

- Publish and promote information on the public services people are entitled to

- Publish key public service performance data

- Systematically track and publish performance indicators across public services

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Records management

> 💡 **Lead author:** International Records Management Trust

Introduction

Managing official records as a basis for accountability and transparency is a systemic issue rather than an issue relating to any particular type of records. A reliable and accessible evidence base is vital for all aspects of open government, particularly the right to information and open data, which are dependent upon the ability to access reliable records. Records management will not in itself achieve openness, but without it, openness is not possible.

Every public sector policy maker, auditor, court official and fraud investigator knows the importance of being able to find, use and trust official records as evidence of policies, actions, transactions, expenditure, precedents, rights and entitlements. Most citizens know how important it is to have proof of their rights, for instance land rights or rights in court. And yet, in many countries, public sector records are difficult to locate and to trust.

Records, as defined in international standards, are any 'information created, received, and maintained as evidence and as an asset by an organization or person, in pursuit of legal obligations or in the transaction of business. They may be in any medium, form, or format' (ISO, 2011). It is increasingly important to link together all of the official information required as records, whether it is entered directly in a database, maintained as a digital record or kept on a paper file.

Well-managed records provide clear and durable evidence of what the government has promised, what it has done, what services it has provided and how it has spent public funds. Weak records controls result in an ad hoc, potentially misleading national evidence base that opens opportunities for manipulation, corruption and fraud; weakens citizens' ability to claim fair rights and entitlements; undermines the ability to plan and monitor policies and services; and makes it difficult to open information effectively. The quality of the records, especially new forms of digital records, depends on the strength of the control regime, including laws, policies, practices, structures, and skills as developed through international professional collaboration and defined in international records management standards.

As digital information systems replace paper-based systems, it is essential that records in digital form are capable of providing the evidence upon which governments and citizens depend. Unfortunately, digital records created and held in ICT systems are highly vulnerable, and unless protected, their value as evidence diminishes rapidly from the point that they are created. In particular, if computerised systems do not systematically capture structured metadata (data describing the context, content, structure and management of the records) the information will lack legal value, simply because it will not be possible to demonstrate that it is authentic and reliable. It also is fundamental that digital records and their metadata should be transferred as early as possible to specialised preservation facilities for safe and secure storage through time and technological change.

Records management principles also support data management. Data are often extracted or aggregated from records, for instance from land records, personnel records or hospital records. Inaccurate or incomplete source records result in misleading data that can reduce trust in the government. Moreover, when data and its associated metadata is not protected and preserved systematically, it can easily be lost entirely, lose its value as evidence or hinder exchange between information systems. As databases are used, changed and updated over a period of years, especially when several authorities maintain them jointly, it is essential to document the context of how they are created and altered to support future sharing, access and long-term management. Records management have been developed internationally to support systematic control through time.

While many countries are still operating in a paper-based environment, the move toward digital governance is a reality worldwide. Many governments do not yet realise that digital records and data must be managed consistently if they are to provide a basis for openness. Even as it remains essential to build sound systems for managing paper records, all countries need to begin to invest in digital records management.

In developing records management commitments, countries should clearly state how records management will serve to make government more open. Introducing a records control regime or upgrading systems to streamline procedures without actually making information available to the public does not make governments more open.

A recent study released by the World Bank illustrates both the opportunities and the challenges of managing records for openness in a digital environment in three countries, Estonia, Finland and Norway:

Other related topics include Right to Information, Open Government Data, Citizen Engagement and Privacy and Data Protection

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References

ISO 30300:2011: Information and Documentation - Management Systems for Records - Fundamentals and Vocabulary, www.iso.org/iso/catalogue_detail?csnumber=53732

Principle International Records and Information Standards, http://www.opengovguide.com/standards-and-guidance/generally-accepted-record-keeping-principles/

Expert Organisations

International Council on Archives http://www.ica.org/

ARMA International http://www.arma.org/

International Records Management Trust http://irmt.org/

Information Governance Initiative http://www.iginitiative.com

Association for Information and Image Management http://www.aiim.org/

Summary of illustrative commitments

Initial

- Conduct a gap analysis to determine whether there is a sound control regime in place for managing government records in relation to international records and information management good practice standards, national development needs and aspirations for openness

- Ensure that there is a law or a harmonised set of laws for managing records needed as evidence for national development and accountability, and establish a public authority as the lead government records management

- Establish a central digital repository to provide lasting access to government records and data

- Establish a means of relating quality assurance for public sector digital records and public sector datasets

- Establish and implement standardised requirements for managing digital records and metadata across government in line with international good practice standards

- Include records management requirements in the specification criteria for new IT systems and upgrades.

- Link the delivery of the right to information to the management of public sector records through institutional structures and awareness programmes

- Strengthen the capacity of records management professionals to meet the challenges of managing records in all forms and formats

- Use the findings of the gap analysis to develop a government-wide policy on records management in line with goals for open government and sustainable development, including digital governance, right to information and open data

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Right to information

💡 **Lead author:** Access Info and Centre for Law and Democracy

Introduction

Right to information legislation (RTI), also referred to as freedom of information or access to information laws, establishes a general presumption that all information held by government should be accessible and set out the mechanisms by which is can be accessed.

The case for ensuring access to information is that it supports good governance, effective and efficient public administration, compliance with laws and regulations, efforts to combat corruption and better investment climates. There is emerging evidence to support this, however there remains a lack of systematic assessments of RTI policies and whether and how they are translating into greater government transparency and participation in decision-making (Calland, 2010).

Open, participatory and accountable government is contingent on members of the public having access to information held by public bodies. The right to information is protected through the guarantees of freedom of expression found in the main international human rights treaties. This has been recognised by international human rights tribunals (Inter-American Court of Human Rights and the European Court of Human Rights) and leading international authorities (including all four special mandates on freedom of expression at the UN, OAS, OSCE and African Commission on Human and People's Rights, and the Inter-American Juridical Committee) as well as the UN Human Rights Committee (Mendel, 2008).

A key principle of Right to Information is that of 'maximum disclosure". Information should only be withheld from the public where absolutely necessary to prevent harm to a legitimate interest and where there is no overriding public interest in knowing the information.

As of June 2013, 95 countries have adopted RTI laws, a massive increase from the 13 countries which had these laws in 1990. However, experience has shown that while the passage of the law is often a high-profile effort by its political champions, the key challenge is to maintain the political momentum needed for effective implementation (Dokenia, 2013).

References

Calland, R., (2010) Review of Impact and Effectiveness of Transparency and Accountability Initiatives: Freedom of Information, Institute of Development Studies, Brighton. http://www.ids.ac.uk/files/dmfile/IETAAnnex3FreedomofInfoCallandFinal28Oct2010.pdf

Mendel, T. (2008), Freedom of Information: A Comparative Legal Survey, 2nd Ed., UNESCO, Paris. http://portal.unesco.org/ci/en/ev.php-URL_ID=26159&URL_DO=DO_TOPIC&URL_SECTION=201.html

Dokenia, A. (2013) Right to Information; Lessons from experience, World Bank, Washington D.C. http://www.right2info.org/resources/publications/publications/wb_implementing-rti_lessons-from-experience_2013

Expert Organisations

Access Info http://www.access-info.org/

Article 19 http://www.article19.org/

The Freedom of Information Advocates Network http://www.foiadvocates.net

Right2INFO.org http://right2info.org/

freedominfo.org http://www.freedominfo.org/

Centre for Law and Democracy http://www.law-democracy.org/live/

Alianza Regional por la Libre Expresión e Información, (Alianza Regional) http://www.alianzaregional.net/

Africa Freedom of Information Centre http://www.africafoicentre.org

Summary of illustrative commitments

Initial

- Adopt a law which recognises the right to information, in line with international standards

- Align RTI law and practice with highest international standards on RTI

- Ensure that each public authority puts in place core implementation systems on RTI

- Establish best practice monitoring and evaluation systems on RTI

- Establish institutional structures for implementing RTI

- Expand the scope of proactive publication

- Promote public awareness of the right to information

- Provide training to officials on record management and RTI implementation

- Publish core information about government on a proactive basis

- Review and amend secrecy laws

- Use IT to enhance access to information

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Security sector

Introduction

Few questions are more important to ensuring democratic government and fundamental human rights than those involving decisions about war, peace and protection of a country's national security. However there is a fundamental tension with regard to transparency and open data. On the one hand, public access to government information is critical to democracy and human rights. Access to information not only safeguards against abuse by governments, officials and private entities, but also is critical to enable the public to play a role in determining the policies of the government. On the other hand, the conduct of diplomacy, military operations and intelligence activities all require some measure of secrecy in order to be effective.

Striking the right balance is made all the more challenging by the fact that courts in most countries demonstrate the greatest deference to the claims of government when national security is invoked. This deference is reinforced by provisions in the security laws of many countries that trigger exceptions to the right to information as well as to ordinary rules of evidence and rights of the accused upon a minimal showing or assertion of a national security risk. A government's over-invocation of national security concerns can seriously undermine the main institutional safeguards against government abuse of public trust: independence of the courts, the rule of law, legislative oversight, media freedom, and open government.

Other related topics include Whistleblower Protection, Privacy and Data Protection, as well as Budgets and Right to Information.

Expert Organisations

Open Society Justice Initiative http://right2info.org/exceptions-to-access/national-security/global-principles

Center for National Security Studies http://www.cnss.org

Geneva Centre for Democratic Control of the Armed Forces (DCAF) http://www.dcaf.ch/

National Security Archive http://www2.gwu.edu/~nsarchiv/

Open Democracy Advice Centre http://www.opendemocracy.org.za

Stockholm International Peace Research Institute http://www.sipri.org

Transparency International Defence and Security Programme http://www.ti-defence.org/

Red de Seguridad y Defensa de America Latina http://www.resdal.org/

Summary of illustrative commitments

Initial

- Enact legislation that includes defence and intelligence among the bodies subject to right to information obligations

- Ensure independent review of decisions to classify information and destroy documents of public interest

- Ensure opportunity for public engagement in all stages of military budgeting and spending

- Ensure that information of public interest is not subject to secrecy, unless disclosure would cause overriding harm

- Ensure that journalists and others who publish classified information are not subject to penalties, except in egregious cases

- Ensure that whistleblower protection applies in the security sector

- Establish a body with adequate mandate, powers and resources to effectively oversee the intelligence agencies

- Publish information about defence sector spending in a detailed and disaggregated form

- Publish Information about Intelligence Spending

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Tax and Illicit flows

> 💡 **Lead author:** <u>Center for Global Development</u>

Introduction

Taxation provides funds to invest in development, relieve poverty, deliver public services and build the physical and social infrastructure for long-term growth. Taxation is also a crucial part of the social contract that binds citizens and states, ensuring government is accountable. Fair and efficient tax systems can contribute to good governance by establishing a bargaining process between states and citizens. States that rely on their citizens for income also have to take their demands into account (Corbacho *et al*, 2013).

Most OECD members have a broad base for direct and indirect taxes, with tax liability covering the vast majority of citizens and firms. Countries at lower incomes often face more severe social, political and administrative obstacles and so can be especially vulnerable to tax evasion and avoidance efforts of individual and corporate taxpayers.In addition, many of the same instruments and channels used to defeat tax systems – from opaque company ownership and accounts, to mispriced trade through secrecy jurisdictions ('tax havens') – are used for a range of other flows that undermine both public finances and governance. These include laundering the proceeds of crime, theft of state assets and bribery of public officials (van der Does de Willebois *et al*, 2011).

International flows of investment and trade mean that policy decisions in one country can have far reaching impacts. A lack of financial transparency in one jurisdiction can allow assets and income streams to be moved around, and hidden in ways that undermine regulation and taxation in other jurisdictions. International rules and institutions are critical, but each country has a responsibility to raise its own standards – which will limit abuses and support improved corporate governance both domestically, and for trading partners.

Financial transparency concerns the disclosure of all financial information that allows governments to effectively regulate and tax economic and financial activity, private sectors actors including investors to be confident others are operating by the same rules, and for civil society to hold all actors – public and private – accountable for their role in this (Murphy *et al*, 2009). It is crucial for well-functioning states and markets in several ways: it enables action against fraud and corruption, and enables public confidence in the effectiveness and fairness of taxation. It also improves market efficiency by facilitating price discovery, uncovering hidden costs, improving data quality and, more generally, by ensuring a level playing field and fairer market conditions and allowing better analysis of the risks to investment.

States provide companies with their legal standing, mandate disclosures and collect information about those companies. A major, common benefit of incorporation is limited personal liability; and this requires effective financial transparency about company performance to ensure confidence of business partners, customers and tax authorities; and effective transparency about ownership to guard against fraud, market manipulation and other criminal misuse of corporate vehicles. In this way, businesses and society benefit from states ensuring effective transparency, with compliance at the heart of the virtual circle. However, in many countries, it is not even possible to confirm the existence of a company without payment of a fee. Furthermore, data about companies acting in multiple jurisdictions is even more challenging to obtain and at times may only present a partial or highly limited view of the company. The limited access and availability of data about companies and their work facilitates money laundering, tax evasion, bribery, the theft of public assets, financing of terrorism, and excessive risk-taking which can lead to systemic vulnerability.

References

Corbacho, A., V. Fretes Ciblis & E. Lora (Eds.), 2013, More than Revenue: Taxation as a development tool, IADB, http://www.iadb.org/en/research-and-data/dia-publication-details%2C3185.html

van der Does de Willebois, E., E. M. Halter, R. A. Harrison, J. Won Park & J.C. Sharman, 2011, The Puppet Masters: How the Corrupt Use Legal Structures to Hide Stolen Assets and What to Do About It, World Bank/UNODC Stolen Asset Recovery Initiative, http://star.worldbank.org/star/sites/star/files/puppetmastersv1.pdf

Murphy, R. & P. Sagar, 2009, 'What is Financial Transparency?', Mapping the Faultlines Series, Tax Justice Network, http://www.secrecyjurisdictions.com/PDF/FinancialTransparency.pdf

Expert Organisations

International Centre for Tax and Development http://www.ictd.ac

International Tax Compact http://www.taxcompact.net

Stolen Asset Recovery Initiative (StAR) (World Bank/UNODC) http://star.worldbank.org/star

OECD Centre for Tax Policy and Administration http://www.oecd.org/ctp

Financial Transparency Coalition http://www.financialtransparency.org

Financial Action Task Force (FATF) http://www.fatf-gafi.org

Global Financial Integrity http://www.gfintegrity.org

Tax Justice Network http://www.taxjustice.net

Center for Global Development http://international.cgdev.org

Summary of illustrative commitments

Initial

- Establish a system for monitoring customs declarations in real time to detect abuse

- Establish a system to exchange information automatically with tax authorities

- Establish robust registers of beneficial ownership

- Establish 'follow the money' partnerships to curtail trade mispricing

- Publish combined and country-by-country reporting of multinational companies in open, machine-readable format

- Publish information on tax expenditures

- Publish registers of company beneficial ownership, and of parties to trusts and foundations as open, machine-readable data

- Require combined and country-by-country reporting by multinational companies operating in the jurisdiction

- Require minimum standards for company filing and disclosure, and publish data online

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Whistleblower protection

💡 **Lead author:** <u>Whistleblowing International Network</u>

Introduction

Those working in or with an organisation are often the first to see misconduct, dishonest or illegal activity or a serious risk to the public interest in areas ranging from consumer safety and environmental damage, professional misconduct and child abuse, to financial embezzlement and corruption. However they can be discouraged from reporting their concerns by fear of reprisals and by the perceived lack of follow-up to address such warnings.

Responsible organisations should encourage those working for them to communicate actual or potential problems. Yet too many individuals face retaliation if they report their concern, this can include threats to their physical well-being as well as detriments in the workplace such as harassment, lack of promotion, demotion or dismissal. When lines of communication within organisations are blocked or not trusted, or the organisation itself is involved in the wrongdoing or its cover-up, it is vital that individuals can safely report such concerns to a competent external authority or more widely, where necessary.

Alerting organisations, external competent authorities or the public about risk, misconduct, dishonest or illegal activity, or matters of important public interest is termed whistleblowing. Whistleblowing covers the spectrum of such communications. It is a democratic right closely linked to freedom of speech and the right to petition; a public interest safety net which supports openness in government and democratic accountability.

Whistleblower protection is relatively new to the open government agenda, and while laws are becoming increasingly popular, it is crucial that they can be enforced. If the rights they offer are only symbolic this puts workers and others at greater risk; as they invite individuals to make disclosures while offering no genuine protection or any commitment to any appropriate follow-up of the issue raised.

Governments have a responsibility to facilitate whistleblowing and in so doing protect public interest whistleblowers. Laws which recognise the right of those who act in the public interest not to suffer harm or threats of harm and which build on the democratic principles of free speech and freedom of information are critical. They provide individuals a safe alternative to the silence that allows negligence and wrongdoing to take root. Whistleblower protection also offers an important alternative to anonymous leaks – a form of self-preservation which can compromise both the public interest and the whistleblower.

International instruments on whistleblower protection have, for the most part, recognised the importance of having whistleblower protection laws in place as part of an effective anti-corruption framework. (See for example the whistleblower protection requirements in the United Nations Convention against Corruption (2003), the 2009 OECD Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions (Anti-Bribery Recommendation), the 1998 OECD Recommendation on Improving Ethical Conduct in Public Service , the Council of Europe Civil and Criminal Law Conventions on Corruption (1999), the 1996 Inter-American Convention against Corruption and the African Union Convention on Preventing and Combating Corruption (2003))

These provide a good foundation on which to develop legal and institutional frameworks to facilitate whistleblowing and protect whistleblowers for a wider category of public interest information. Governments also need to protect whistleblowing at the international level, to enhance support and protection where it falls short particularly across multinational production chains or regulatory and legal frameworks.

While it is incumbent on governments to facilitate safe and effective channels for whistleblowing and to protect whistleblowers, civil society has a complementary role in advocating for the protection of those who come forward to safeguard the public interest, particularly when it challenges government authority. An engaged civil society can ensure that the legal and practical responses to whistleblowing are effective and appropriately applied over the long term.

NB: This topic is focused primarily on whistleblowing that arises out of a working relationship. However, there are important overlaps with the protections needed for those understood to be 'human rights defenders', and for the protection of journalists and their sources and for witness protection for those physically at risk.

Expert Organisations

Whistleblowing International Network (WIN) http://whistleblowingnetwork.org

OECD http://www.oecd.org/governance

Council of Europe: Group of States Against Corruption http://www.coe.int/t/dghl/monitoring/greco/default_en.asp

Federal Accountability Initiative for Reform (FAIR) http://fairwhistleblower.ca/

Government Accountability Project (GAP) http://www.whistleblower.org/

Open Democracy and Advice Centre (ODAC) http://www.opendemocracy.org.za/

Public Concern at Work (PCaW) http://www.pcaw.org.uk

Whistleblowers Network (Germany) http://www.whistleblower-net.de

Transparency International http://www.transparency.org/topic/detail/whistleblowing

Transparency International (Ireland) http://www.transparency.ie/

Open Society Justice Initiative (OSJI) http://www.justiceinitiative.org

Summary of illustrative commitments

Initial

- Ensure competent authorities have the mandate, powers and resources to facilitate whistleblowing and protect whistleblowers

- Establish a public awareness campaign on the value of whistleblowing

- Establish a public fund to support whistleblowers

- Extend whistleblower protection to those working with sensitive or classified information

- Review and strengthen laws and policies on whistleblowing

- Set up or support independent confidential advice services for whistleblowers

Detailed Recommendations

No commitments for this level
No commitments for this level
No commitments for this level
No commitments for this level

Annex: Standards and Guidance

Aid

📘 Aid Transparency Tracker

CIVIL SOCIETY   RATING

Based on Publish What You Fund's 2013 Aid Transparency Index, the Aid Transparency Tracker has been developed to monitor progress made by organisations in making their aid information more transparent.

http://tracker.publishwhatyoufund.org/

📘 AidInfo Labs

MULTI-STAKEHOLDER   COMMUNITY OF PRACTICE

AidInfo Labs provides a space for sharing ideas, tools, prototypes and applications that take aid data and turn it into useful aid information.

http://www.aidinfolabs.org/

📘 Busan outcome document

INTER-GOVERNMENT   GENERAL REFERENCE

The Busan outcome document includes the provision for donors to develop an implementation schedule of the common standard. These documents should encourage donors to be ambitious in their publication and strive to make more and better information available. Specifically donors committed "to implement a global Action Plan to enhance capacity for statistics to monitor progress, evaluate impact, ensure sound, results focused public sector management, and highlight strategic issues for policy decisions."

http://www.publishwhatyoufund.org/files/Second-draft-busan-outcome-document.pdf

📘 CABRI Position on Aid Transparency

EXPERT / OTHER   GENERAL REFERENCE

The CABRI Position on Aid Transparency from 2011 is intended to make explicit what CABRI sees as sufficient levels of aid

transparency for aid to work better at the country level in Africa. It puts forth a set of prerequisites for donor countries as well as recipient governments on their roles in furthering aid transparency.

http://www.cabri-sbo.org/en

📘 G8: Lough Erne Declaration

INTER-GOVERNMENT   PRINCIPLES

The Lough Erne Declaration was formulated by the G8 countries in June 2013. It promotes enhanced transparency in business and government. Among other things, it states that governments should publish information on laws, budgets, spending, national statistics, elections and government contracts in a way that is easy to read and re-use, so that citizens can hold them to account.

http://www.whitehouse.gov/the-press-office/2013/06/18/lough-erne-declaration

📘 G8: Open Data Charter

INTER-GOVERNMENT   PRINCIPLES

In June 2013 G8 leaders signed up to the Open Data Charter, calling for government datasets to be 'open data by default'. For example, the charter recognises that transparent data on development assistance are essential for accountability. Global development is also among the categories of high value data that should be released. The charter's annex sets out how best practice is to be promoted and describes the G8 collective actions. It also sets out a requirement for reporting back on progress.

http://www.publishwhatyoufund.org/index/2012-index/

📘 IATI 'budget identifier'

MULTI-STAKEHOLDER   DATA STANDARD

The IATI 'recipient budget identifier' is under development and is set to become part of the IATI Standard. The budget identifier aims to align aid information with the budget classifications used by partner countries to enable more accurate budgeting, accounting and auditing and to increase the proportion of aid that is recorded in budget documents.

http://www.aidtransparency.net/wp-content/uploads/2011/05/Paper_5_-_Budget_Identifier_Nov_2012.doc

📘 IATI Standard

MULTI-STAKEHOLDER   DETAILED GUIDANCE   DATA STANDARD

IATI is a voluntary, multi-stakeholder initiative that seeks to improve the transparency of aid in order to increase its

effectiveness in tackling poverty. It brings together donors and developing countries, civil society organisations and other experts in aid information who are committed to make information about aid easier to access, use and understand. IATI also aims to ease the burden of multiple reporting requirements from donors, address criticisms over project duplication and meet partner country planning demands. It can be used to publish information on aid and other official flows, including climate finance.

The IATI Standard sets guidelines for publishing information about aid spending. It does not create a new database but builds on, and goes beyond the standards and definitions that have already been agreed. The IATI Organisational Standard is designed for reporting the total future budgets of organisations and forward planning budget data for recipient institutions and countries, and the IATI Activity Standard is designed for reporting the details of individual aid activities and is the most widely used part of IATI. The IATI Website contains a collection of guides and technical material aimed at addressing and detailing specific requirements and needs of the IATI community.

http://iatistandard.org/

IATI: Template for IATI implementation schedules

MULTI-STAKEHOLDER   DATA STANDARD

At the 4th High Level Forum on Aid Effectiveness in Busan in 2011, countries and organisations committed to publishing a first IATI implementation schedule. The implementation schedule is intended for countries and organisations to specify what information they already report and publish and to present a timetable, based on their specific situation, of the feasibility of publishing more information. Thus far, a total of 40 Busan supporters (countries and other organisations) have published their implementation schedules.

http://www.oecd.org/dac/aid-architecture/acommonstandard.htm

Open Knowledge Foundation: Open Data Hackathon How To Guide

EXPERT / OTHER   DETAILED GUIDANCE

This How To Guide explains how to best to organise a Hackathon, which is an event in which computer programmers and others involved in software development collaborate intensively on software projects.

http://blog.okfn.org/2012/10/26/hackathons-the-how-to-guide/

PWYF: 2012 Aid Transparency Index

MULTI-STAKEHOLDER   RATING

The Aid Transparency Index by Publish What You Fund provides an annual rating of aid agencies and other organisations. For the 2012 Aid Transparency Index, 72 organisations were selected, including bilateral and multilateral agencies, selected climate finance funds, humanitarian agencies, development finance institutions and private foundations.

http://www.publishwhatyoufund.org/index/2012-index/

Assets disclosure and conflicts of interest

Guidelines for Managing Conflicts of Interest in the Public Service

INTER-GOVERNMENT   DETAILED GUIDANCE

The OECD Guidelines for Managing Conflict of Interest in the Public Service from 2003 provide a comprehensive international benchmark to help governments and public organisations review existing conflict of interest policy and practice for public officials working in national public administrations. The Guidelines set four core principles for public officials to follow in dealing with conflict of interest situations in order to maintain trust in public institutions: serving the public interest; supporting transparency; promoting individual responsibility; and creating an organisational culture that does not tolerate conflict of interest.

http://www.oecd.org/gov/ethics/48994419.pdf

Income and assets declarations: Issues to consider in developing a disclosure regime

EXPERT / OTHER   GENERAL REFERENCE

This Issue paper by the U4 Anti-Corruption Resource Centre from 2009 describes the issues policy-makers should consider when deciding whether to adopt a financial disclosure law, and what provisions it should contain.

http://www.cmi.no/publications/file/3396-income-and-assets-declarations.pdf

OGP Eligibility Criteria: Assets disclosure

OGP ELIGIBILITY CRITERIA   RATING

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts. Any government that achieves a score of at least 75% of the total possible points available to them can join OGP at any time once they have demonstrated that they meet these minimum criteria.

Rules that require public disclosure of income and assets for elected and senior public officials are one of the four eligibility criteria. Four points are awarded to countries with a law requiring disclosures for politicians and senior public officials to the public, three points awarded to countries with either a law requiring disclosures for politicians OR senior public officials to the public, and two points awarded for a law requiring non-public disclosures for elected or senior officials.

This assessment is based on studies by the world bank, and the World Bank's Public Officials Financial Disclosure database, which is updated on a rolling basis.

http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria

📖 Post-Public Employment: Good Practices for Preventing Conflict of Interest

INTER-GOVERNMENT   DETAILED GUIDANCE

This OECD report from 2010 provides, in line with identified good practice, guidance to policy makers and managers on how to review and modernise rules, policies and practices for preventing and managing conflict of interest in post-public employment.

http://www.keepeek.com/Digital-Asset-Management/oecd/governance/post-public-employment_9789264056701-en

📖 Public Office, Private Interests: Accountability through Income and Asset Disclosure

INTER-GOVERNMENT   DETAILED GUIDANCE   GENERAL REFERENCE

This is a Stolen Asset Recovery Initiative publication from 2012. It focuses on income and asset disclosure requirements for the executive and legislative branches of government and is intended (together with its companion, Income and Asset Disclosure: Case Study Illustrations) to be a guide for practitioners and policy-makers and for others with an interest in anti-corruption tools and procedures. It sets out the basic elements of asset disclosure systems and key considerations that can influence the design, implementation, and enforcement of an asset disclosure framework in different contexts.

http://star.worldbank.org/star/sites/star/files/Public Office Private Interests.pdf

📖 Revolving Doors, Accountability and Transparency – Emerging Regulatory Concerns and Policy Solutions in the Financial Crisis

INTER-GOVERNMENT   GENERAL REFERENCE

This OECD report from 2009 examines the phenomenon of the 'revolving door' in the financial sector (e.g. banking, insurance, securities, etc.) following the 2008 financial crisis. It examines the 'revolving door' both at the individual level (in respect to the appointment of advisers and regulators) as well as at the institutional level (focusing on the bail outs and nationalisations of banks). The report aims to help policy makers and decision makers understand the extent of the problem caused by 'revolving door' in regulators, in particular in the financial sector, and support informed policy debate on alternative options for solutions.

http://search.oecd.org/officialdocuments/displaydocumentpdf/?cote=GOV/PGC/ETH(2009)2&docLanguage=En

📖 United Nations Convention against Corruption

INTER-GOVERNMENT   PRINCIPLES

The United Nations Convention against Corruption, adopted by the UN General Assembly in 2003, includes provisions for asset disclosure and conflict of interest regulations as a way of combating corruption.

Article 8(5) of the Convention states that "Each State Party shall endeavour, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials." And Article 52(5) states that "Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance."

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

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📘 World Bank Financial Disclosure Law Library

`INTER-GOVERNMENT` `GENERAL REFERENCE`

The World Bank Financial Disclosure Law Library is a collection of laws and regulations on income and asset disclosure. It offers access to over 1,000 laws and regulations across 176 jurisdictions worldwide. The Library also provides information on closely-related topics such as restrictions on public officials' activities. The Library is intended as an unbiased legal source for practitioners, policy-makers, and researchers within national governments; international organizations; development agencies; the media; academia and the private sector engaged in the fields of asset disclosure.

http://publicofficialsfinancialdisclosure.worldbank.org

Budgets

📘 GIFT High Level Principles on Financial Transparency

`MULTI-STAKEHOLDER` `PRINCIPLES`

The GIFT High Level Principles on Financial Transparency is a set of principles and global norms on fiscal transparency formulated in 2012 by the multi-stakeholder action network. The Principles are intended to guide policy makers and all other stakeholders in fiscal policy in their efforts to improve fiscal transparency, participation and accountability, and to help promote improvements in the coverage, consistency and coherence of the existing standards and norms for fiscal transparency. An Expanded Version of the High-Level Principles explains each of the ten Principles in more detail, and provides additional information and sources of guidance for those applying the Principles in practice.

http://fiscaltransparency.net/wp-content/uploads/2012/09/GIFT-High-Level-Principles-2012-08-ENG.pdf

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📘 IBP guide to participatory budgeting

CIVIL SOCIETY   GENERAL REFERENCE

The Guide to Participatory Budgeting from 2000 examines Brazilian participatory budgeting programmes designed to incorporate citizens into the policy making process, spur administrative reform, and distribute public resources to low income neighbourhoods. The paper explores the mechanisms of participatory budgeting, the results of this approach, and its potential applicability elsewhere.

http://internationalbudget.org/wp-content/uploads/A-Guide-to-Participatory-Budgeting.pdf

📖 IBP guide to transparency in government budget reports

EXPERT / OTHER   DETAILED GUIDANCE

The Guide to Transparency in Government Budget Reports was designed to support governments in their efforts to meet international good practice standards on budget transparency. It provides guidance on what reports and documents governments should be producing and making available throughout the budget process, what information should be in those reports, and links to model documents from other countries.

http://internationalbudget.org/wp-content/uploads/Government_Transparency_Guide1.pdf

📖 IBP Looking beyond the budget

CIVIL SOCIETY   GENERAL REFERENCE

Moving beyond the eight key budget documents on which budget transparency is measured, this document deals with five areas of public finance that are less well understood and especially vulnerable to efforts to shield them from public scrutiny. The five areas are: extra-budgetary funds, tax expenditures, quasi-fiscal activities, contingent liabilities, and future liabilities.

http://internationalbudget.org/wp-content/uploads/Looking-Beyond-the-Budget.pdf

📖 IBP open budget survey

EXPERT / OTHER   RATING

The Open Budget Survey measures the state of budget transparency, participation, and oversight in countries around the world and is completed by independent researchers in the countries assessed. The Open Budget Index assigns countries covered by the Survey a transparency score on a 100-point scale based on whether the government provides the public with timely access to comprehensive information contained in eight key budget documents.

http://internationalbudget.org/what-we-do/open-budget-survey/full-report/

📘 IMF fiscal transparency code

INTER-GOVERNMENT   PRINCIPLES

The IMF Code of Good Practices on Fiscal Transparency was developed in 1998 and updated in 2007. It identifies a set of principles and practices to help governments provide a clear picture of the structure and finances of government.

The IMF is updating its code in 2013 through a process of public consultation that will be finalized in 2014.

The structure and content of the revised *Fiscal Transparency Code* differ from the 2007 version in a number of important respects. In particular:

- Greater focus on the quality of fiscal reports.

- Updated fiscal transparency principles.

- Graduated practices: basic, good and advanced
  Quantitative fiscal transparency indicators

- Coverage and complementarity with Public Expenditure and Financial Accountability (PEFA) assessment framework.

In addition to providing an updated standard for fiscal disclosure, the revised*Code,* once finalized, also provides the basis for a new Fiscal Transparency Assessment (FTA). These assessments are being piloted in a number of low-income, emerging and advanced countries.

http://www.imf.org/external/np/fad/trans/code.htm

📘 INTOSAI Basic Principles in Government Auditing

EXPERT / OTHER   PRINCIPLES

The International Organization of Supreme Audit Institutions (INTOSAI) Basic Principles in Government Auditing provide a framework for the establishment of procedures and practices to be followed in the conduct of an audit. The purpose of the Principles is to help developing auditing standards and serve the auditors in forming their opinion and reports, particularly in cases where no specific standards apply.

http://www.issai.org/media/12943/issai_100_e.pdf

📘 INTOSAI's Lima and Mexico Declarations on Supreme Audit Institutions independence

EXPERT / OTHER   PRINCIPLES

The Lima Declaration from 1977 points out the necessary aspects of audits and audit institutions for achieving independent and objective results. The chief aim of the declaration is to call for independent government auditing. A Supreme Audit

Institution which cannot live up to this demand does not come up to standard. The Mexico Declaration from 2007 sets up eight core principles on Supreme Audit Institution Independence, which flow from the Lima Declaration.

http://www.intosai.org/issai-executive-summaries/view/article/issai-10-the-mexico-declaration-on-sai-independence-eger.html

OECD best practice guidelines on budget transparency

INTER-GOVERNMENT   DETAILED GUIDANCE

The OECD Best Practices for Budget Transparency from 2002 are designed as a reference tool for governments to use in order to increase the degree of budget transparency in their respective countries. The Best Practices are based on different OECD Member countries' experiences and are not meant to constitute a formal standard for budget transparency.

http://www.oecd.org/gov/budgeting/best-practices-budget-transparency.htm

OECD Guidelines on Corporate Governance of State-owned Enterprises

INTER-GOVERNMENT   PRINCIPLES

Non-binding guidelines and best practices developed by the OECD Working Group on Privatisation and Corporate Governance of State-Owned Assets. The Guidelines are intended to provide general advice that will assist governments in improving the performance of State-owned enterprises. The Guidelines are also supported by more detailed guidance; OECD: Accountability and transparency – A Guide for State Ownership.

http://www.oecd.org/daf/ca/corporategovernanceofstate-ownedenterprises/34803211.pdf

OGP Eligibility Criteria: Fiscal Transparency

MULTI-STAKEHOLDER   RATING

In order to participate in the Open Government Partnership (OGP), governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts.

Countries can earn a total of 16 points. In order to participate in OGP, countries must score at least 75% of the total possible points available to them.

The fiscal transparency indicator is based on the 2012 Open Budget Index, conducted by the International Budget Partnership, which covers 100 countries (countries that are not included in the Index are not assessed on this measure)

Two points are awarded for publication of each of two essential documents:

- Executive's Budget Proposal

- Audit Report

http://www.opengovpartnership.org/eligibility

OGP Eligibility Criteria: Fiscal Transparency

OGP ELIGIBILITY CRITERIA   RATING

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts. Any government that achieves a score of at least 75% of the total possible points available to them can join OGP at any time once they have demonstrated that they meet these minimum criteria.

Fiscal transparency is one of the four eligibility criteria. Two points are awarded for publication of each of two essential documents the Executive's Budget Proposal and Audit Report.

This is assessed using a sub-set indicators from the 2012 Open Budget Index, conducted by the International Budget Partnership, which covers 100 countries. As the Open Budget Index covers only 100 countries, some countries are not assessed on this criteria.

http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria

Open Data Index

CIVIL SOCIETY   RATING

The Open Data Index was developed in 2013 to provide a global reference for the state of open data release by national governments. It provides an independent peer-reviewed assessment of openness in a range of key areas, reflecting the realities of public information release and practice in over 60 countries. 80 datasets are assessed, covering ten areas including transport, government budgets and spending, election results, company registers, national maps and statistics, legislation, postcodes and pollutant emissions.

https://index.okfn.org/

Public Expenditure and Financial Accountability Field Guide

EXPERT / OTHER   DETAILED GUIDANCE   COMMUNITY OF PRACTICE

The PEFA 'Fieldguide' from 2012 is the result of the compilation of all existing and updated guidance and technical notes produced by the PEFA Secretariat. The field guide aims to support the technical work of the assessors in the field.

http://siteresources.worldbank.org/PEFA/Resources/PEFAFieldguide.pdf

The Power Of Making It Simple: A Government Guide To Developing Citizens Budgets

`CIVIL SOCIETY` `DETAILED GUIDANCE`

The International Budget Partnership's (IBP) report "The Power of Making It Simple' draws on the experiences of governments that have produced Citizens Budgets, as well as on the IBP's experience of mentoring governments.
It provides step-by-step guidance to governments on producing a Citizens Budget and includes suggestions on how to meet challenges that often arise in the process.

http://internationalbudget.org/publications/the-power-of-making-it-simple-a-government-guide-to-developing-citizens-budgets/

World Bank participatory budgeting book

`INTER-GOVERNMENT` `GENERAL REFERENCE`

Participatory Budgeting is a book published in the World Bank's Public Sector Governance and Accountability Series in 2007. It provides an overview of the principles underlying participatory budgeting and analyses the merits and demerits of participatory budgeting practices around the world with a view to guiding policy makers and practitioners on improving such practices in the interest of inclusive governance.

http://siteresources.worldbank.org/PSGLP/Resources/ParticipatoryBudgeting.pdf

World Bank: Financial Management Information Systems and Open Budget Data

`INTER-GOVERNMENT` `PRINCIPLES` `GENERAL REFERENCE`

A study of presenting open budget data from public Financial Management Information Systems. This study summarises around 100 cases from various government web sites in 53 countries and draws out good practices and lessons learned. The study outlines seven guiding principles to publish open budget data through FMIS platforms:

1. Availability of timely and comprehensive budget information

2. Disclosure of details about underlying information systems

3. Availability of user defined (dynamic) query and reporting capabilities

4. Publishing reliable and interlinked open budget data

5. Authentication of the sources of public finance data

6. Improving the quality of presentation

7. Promoting the effective use of open budget data

http://www.worldbank.org/publicfinance/FMIS

📖 World Bank: Fiscal Transparency Tools and Resources

`INTER-GOVERNMENT`   `GENERAL REFERENCE`

The World Bank's **Open Budgets Portal** is the first effort to create a one-stop shop for budget data worldwide with the hope of bringing visibility to countries' efforts in this field, facilitating access and promoting use of spending data, and motivating other countries into action. The Tools and Resources section presents a wide range of materials and information on budget analysis and open budgets.

http://wbi.worldbank.org/boost/about

Citizen engagement

📖 Assessing the Quality of Democracy: A Practical Guide

`EXPERT / OTHER`   `DETAILED GUIDANCE`   `GENERAL REFERENCE`

This Practical Guide presents International IDEA's State of Democracy (SoD) assessment Framework. Developed for public use around the world, the SoD Framework has been applied in some 20 countries worldwide since its first launch in 2000.

The Framework provides for comprehensive assessment led and owned by local actors. It combines a commitment to the principles of democracy with dialogue, and looks beyond the formal existence of democratic institutions and focuses on their performance.

An overview of this Practical Guide is also available (in English, Spanish and French)

http://www.idea.int/publications/aqd/

📖 Center for Technology in Government – Designing Social Media Policy for Government: Eight essential elements

`EXPERT / OTHER`   `GENERAL REFERENCE`

Review of government social media policies in the US. Analysis identifies eight essential elements for a social media policy:

1. employee access

2. account management

3. acceptable use,

4. employee conduct

5. content

6. security

7. legal issues

8. citizen conduct.

http://www.ctg.albany.edu/publications/guides/social_media_policy/social_media_policy.pdf

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📘 Civicus – Participatory Policy Making

`CIVIL SOCIETY` `GENERAL REFERENCE` `COMMUNITY OF PRACTICE`

PG Exchange is an initiative of CIVICUS: World Alliance for Citizen Participation. The website is a part of CIVICUS' work on increasing the influence of citizens and civil society organisations in governance processes. The Participatory Governance Project of CIVICUS works to enhance the capacity of targeted southern-based civil society and government actors to promote participatory and accountable governance of public institutions at local and national levels.

http://www.pgexchange.org/index.php?option=com_content&view=article&id=140&Itemid=132

📘 Civicus Enabling Environment Index

`CIVIL SOCIETY` `RATING`

The Enabling Environment Index (EEI) developed by the global civil society network, CIVICUS, is the first rigorous attempt to measure and compare the conditions that affect the potential of citizens to participate in civil society and ranks the governance, socio-cultural and socio-economic environments for civil society in 109 countries.

The index looks at long-term factors that create the conditions for healthy citizen engagement. It is a global composite index developed using secondary data that seeks to understand the propensity of citizens to participate in civil society.

http://civicus.org/what-we-do-126/2013-05-06-10-38-39/1886-download-the-2013-enabling-environment-index-eei-report

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📘 Delib: How and When to Use Social Media Channels to Strategically Support Government Goals

`EXPERT / OTHER` `DETAILED GUIDANCE`

This guide provides a basic introductory overview of a number of social media channels available to government and how they may be best used to support government and agency goals.

http://www.delib.net/delib_shared_assets/shared_documents/Delib_Social_Media_for_Government_2012.pdf

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📘 ECNL: Improving Cooperation Between Public Institutions and Civil Society in the Western Balkans and Turkey

`EXPERT / OTHER` `GENERAL REFERENCE`

Report on the state of cooperation between civil society organisations (CSOs) and public authorities in the countries of the

Western Balkans and Turkey, developed for the Technical Assistance for Civil Society in Europe (TACSO) project in 2012 and researched and written by the European Centre for Not-for-Profit Law (ECNL). The report covers the following countries: Albania, Bosnia and Herzegovina, Croatia, Kosovo*, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Turkey, and focuses on national policies and mechanisms for cooperation between the two sectors.

http://www.gamn.org/files/Report%20-%20Keeping%20up%20the%20Momentum.pdf

IBM Centre for the Business of Government: A Manager's Guide to Evaluating Citizen Participation

`EXPERT / OTHER` `DETAILED GUIDANCE`

A practical guide for program managers who want to assess whether their efforts to increase citizen participation in their programs are making a difference. Lays out evaluation steps for both the implementation and management of citizen participation initiatives, as well as how to assess the impact of a particular citizen participation initiative.

http://www.businessofgovernment.org/report/manager%E2%80%99s-guide-evaluating-citizen-participation

IBM Centre for The Business of Government: Using Online Tools to Engage – and be Engaged by – The Public

`EXPERT / OTHER` `DETAILED GUIDANCE`

This report describes common scenarios where public managers may find themselves needing, or using, public input. It describes a mix of ten different tactics managers may find useful for engaging the public online and highlights over 40 different technologies in use today to support those kinds of engagements.

http://www.businessofgovernment.org/report/using-online-tools-engage-public

ICNL: Guidelines on the Preparation of Compacts

`EXPERT / OTHER` `DETAILED GUIDANCE`

Featured in The International Journal of Not-for-Profit Law, Volume 3, Issue 4, March 2001. Provides guideance on organizational aspects and content of the agreement

http://www.icnl.org/research/journal/vol3iss4/special_5.htm

International Principles Protecting Civil Society

`CIVIL SOCIETY` `PRINCIPLES` `DETAILED GUIDANCE` `COMMUNITY OF PRACTICE`

The International Principles Protecting Civil Society articulates international principles protecting civil society and underscoring proper government-civil society relations, embedded in international law:

1. The Right to Entry (Freedom of Association)

2. The Right to Operate Free from Unwarranted State Interference

3. The Right to Free Expression

4. The Right to Communication and Cooperation

5. Right to Freedom of Peaceful Assembly

6. The Right to Seek and Secure Resources

7. State Duty to Protect

The Principles were jointly developed by the International Center for Not-for-Profit Law (ICNL) and World Movement for Democracy Secretariat at the National Endowment for Democracy, as part of the "Defending Civil Society" project. The project seeks to develop strategies and build solidarity among activists and groups pushing back against restrictive laws and regulations. The principles are backed up with detailed guidance and a toolkit.

Available in English, Spanish, French, Russian and Arabic

http://www.defendingcivilsociety.org

Involve: People and Participation – How to put citizens at the heart of decision-making

EXPERT / OTHER   DETAILED GUIDANCE   GENERAL REFERENCE

This publication provides practical detail, drawing on the experiences of over a hundred practitioners who have used new methods to involve the public in issues ranging from local
planning to nanotechnology. Its starting point is that deepening and strengthening democracy depends on success in learning lessons about why some kinds of participation lead to better and more legitimate decisions, while others do not.

The guidance offers some basic parameters for describing participatory methods, and applies them to some well-known methods. The aim is both to provide useful descriptions of the methods, and to enable others to use the frameworks to collect their own evidence about 'what works' for them in different circumstances.

http://www.involve.org.uk/wp-content/uploads/2011/03/People-and-Participation.pdf

IPU: Social Media Guidelines for Parliaments

INTER-GOVERNMENT   DETAILED GUIDANCE

Developed by the Inter Parliamentary Union, the Guidelines draw on lessons learned by parliaments so far and on good practice in the social media sphere. The objective is to encourage more widespread, more efficient and more effective use of social media by parliaments. The Guidelines cover governance and oversight, compliance and legal issues and planning and strategies for engagement.

http://www.ipu.org/PDF/publications/SMG2013EN.pdf

NCDD: Legal Frameworks for Citizen Participation

EXPERT / OTHER   GENERAL REFERENCE

Conducted in 2003 this was a comprehensive, comparative survey of legal and policy frameworks for citizen participation in local governance in four regions (East Africa, Latin America, South Asia, South-East Asia). It aimed to synthesize existing knowledge about how these frameworks work in practice and to draw lessons about the effectiveness of particular kinds of legal and policy framework for promoting citizen participation.

http:// http://ncdd.org/rc/wp-content/uploads/2010/09/LogoLink-LegalFrameworks2003.pdf

NCDD: Resource Guide on Public Engagement

EXPERT / OTHER   GENERAL REFERENCE

The US National Coalition for Dialogue & Deliberation (NCDD) is an active network and community of practice centered around conflict resolution and public engagement practices. In 2010 NCDD compiled this Guidebook on Public Engagement to showcase some of the best resources developed collaboratively by the NCDD community and others.

http://www.ncdd.org/files/NCDD2010_Resource_Guide.pdf

OECD: Focus on Citizens – Public Engagement for Better Policy and services

INTER-GOVERNMENT   PRINCIPLES   GENERAL REFERENCE

This book published in 2009 is based on a survey of governments in 25 countries, 14 in-depth country case studies and 18 opinion pieces from leading civil society and government practitioners. It looks at how OECD governments putting the principles of open and inclusive policy making into practice and how they can they ensure broader, more inclusive, participation. It includes includes 10 guiding principles to support open and inclusive policy making and service delivery in practice.

The OECD report presents ten Guiding Principles that were designed to help governments strengthen open and inclusive policy making as a means to improving their policy performance and service delivery:

1. Commitment

2. Rights

3. Clarity

4. Time

5. Inclusion

6. Resources

7. Co-ordination

8. Accountability

9. Evaluation

10. Active citizenship

http://www.oecd.org/governance/regulatory-policy/focusoncitizenspublicengagementforbetterpolicyandservices.htm

OGP Eligibility Criteria: Citizen Engagement

`OGP ELIGIBILITY CRITERIA` `RATING`

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts. Any government that achieves a score of at least 75% of the total possible points available to them can join OGP at any time once they have demonstrated that they meet these minimum criteria.

Openness to citizen participation, including basic protections for civil liberties is one of the four criteria for eligibility. This is measured using the 2012 EIU Democracy Index's Civil Liberties sub-indicator where 10 is the highest and 0 is the lowest score, 4 points for countries scoring above 7.5, 3 points for countries scoring above 5, 2 points for countries scoring above 2.5, and 0 points otherwise. The 2012 Economist Intelligence Unit Democracy Index covers 167 countries.

http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria

Participation compass

`EXPERT / OTHER` `DETAILED GUIDANCE` `GENERAL REFERENCE` `COMMUNITY OF PRACTICE`

Participationcompass.org helps people in the public, private and not-for-profit sectors who need to involve a wider group of people in their work. The site and app provides information, advice, case studies and opportunities to share experiences with others.The site is mainly aimed at people who are directly involved in planning, running or commissioning participation activities.The Participation Compass contains information on methods of participation, case studies of participation in action, written resources and guides about participation, organisations that provide expertise around participation and news about participation.

http://participationcompass.org/

Participedia

`EXPERT / OTHER` `GENERAL REFERENCE` `COMMUNITY OF PRACTICE`

Participedia is an open global knowledge community for researchers and practitioners in the field of democratic innovation and public engagement. It provides a searchable database of cases, methods, and organizations,

http://participedia.net

📘 Public Deliberation: A manager's guide to citizen engagement

EXPERT / OTHER   GENERAL REFERENCE

Developed by the IBM Center for Business and Government in 2006, this report documents a spectrum of tools largely developed in the non-profit world to increase citizens' involvement with their governments. It highlights for example, the use of online surveys and peer-to-peer communication tools such as blogs and wikis.

It also highlights ways in which public managers can develop an active approach to increasing citizens' involvement in government at all levels.

http://www.businessofgovernment.org/report/public-deliberation-managers-guide-citizen-engagement

📘 UN Human Rights Council Resolution on Protecting Human Rights Defenders

INTER-GOVERNMENT   PRINCIPLES

The UN Human Rights Council Resolution on Protecting Human Rights Defenders (A/HRC/22/L.13)was adopted in March 2013. It calls on all states to support the work of human rights defenders(HRDs) and to protect them from harassment, threats and attacks.

The resolution:

- Strongly calls upon States to end impunity for acts of intimidation or reprisals against HRDs, and to avoid criminalisation and other impediments to their work

- Recognises the importance of new forms of communication, online and offline, for the work of HRDs in promoting and striving for the protection of human rights

- Calls upon States to not impose discriminatory restrictions on potential sources of funding aimed at supporting the work of HRDs

- Recognises access to information as a human right, and calls upon public authorities to proactively disclose information on human rights abuses

The resolution supports the obligation upon States to:

- Create a safe and enabling environment in which HRDs can operate free from hindrance and insecurity, including the duty to end impunity;

- Ensure laws do not prevent public officials from being held accountable and that penalties for defamation are proportionate;

- Ensure laws to protect national security are not misused to target HRDs and that counter-terrorism measures comply with international human rights standards;

- Ensure HRDs can perform their important role in the context of peaceful protests;

- Ensure that reporting requirements for civil society do not inhibit functional autonomy, and that no law criminalises or places discriminatory restrictions on funding sources;

- Ensure access to information as a human right, and requires public authorities to proactively disclose information,

including on grave violations of human rights;

- Protect the expression of dissenting views;

- Protect the right of all people to access and use the Internet.

http://ap.ohchr.org/documents/alldocs.aspx?doc_id=21380

📖 UNICEF: Child and youth participation resource guide

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

This guide presents resources on child and youth participation from Asia, Europe, North America, Latin America, Africa, Australia and the Pacific. The main audiences for this resource guide are practitioners and managers involved in promoting child and youth participation in government, community-based organizations, child-led organizations, NGOs and UN and donor agencies.

http:// http://www.unicef.org/adolescence/cypguide/index_intro.html

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📖 Youth participation in development guide

`EXPERT / OTHER` `DETAILED GUIDANCE` `GENERAL REFERENCE`

Developed by the DFID / CSO Youth Working Group, this guide has been developed to assist donor agencies (multilateral and bilateral) and policy advisors in a range of organisations working with and for youth, as well as for government and civil society partners. This guide aims to increase understanding of the growing importance of, and greater potential for, youth participation in development practice and to explore key issues and approaches.

http://ygproject.org/

Construction

📖 Civicus – Monitoring and Evaluating Public Services

`CIVIL SOCIETY` `DETAILED GUIDANCE` `COMMUNITY OF PRACTICE`

PG Exchange is an initiative of CIVICUS: World Alliance for Citizen Participation. The website is a part of CIVICUS' work on increasing the influence of citizens and civil society organisations in governance processes. The Participatory Governance Project of CIVICUS works to enhance the capacity of targeted southern-based civil society and government actors to promote participatory and accountable governance of public institutions at local and national levels.

The section on monitoring and evaluation public services includes details of stakeholder surveys, citizen report cards, community score cards, community monitoring and evaluation and social audits.

http://www.pgexchange.org/index.php?option=com_content&view=category&id=59&Itemid=135

📖 CoST Guidance Notes

MULTI-STAKEHOLDER   DETAILED GUIDANCE

This Guidance Note is aimed at those who are interested in the possibility of their country joining the Construction Sector Transparency Initiative (CoST). It explains the benefits of CoST and the purpose of the national and international programmes. It also describes how interested parties can learn more about CoST before making a commitment and how they can make a formal application to join.

http://www.constructiontransparency.org/_db/_documents/CoST_Guidance_Note_2_Joining_CoST.pdf

📖 CoST Pilot Results

MULTI-STAKEHOLDER   GENERAL REFERENCE

The results from the pilot phase of the Construction Sector Transparency Initiative (CoST) have been disseminated on its website. These resources provide lessons for applying the CoST approach in different contexts. Two international comparison reports have been produced by CoST's International Secretariat and are among these resources. The first report examines the process of information disclosure from 84 construction projects in the eight pilot countries and the analysis of the assurance team findings. The second report examines the baseline studies from each pilot country and reports on the common themes and differences.

http://www.constructiontransparency.org/resources/pilot_results.cfm

📖 CoST project information standard

MULTI-STAKEHOLDER   DATA STANDARD

The Construction Sector Transparency Initiative (CoST) has put together a list of project information for proactive and reactive disclosure.

http://www.constructiontransparency.org/_db/_documents/List_of_CoST_Project_Information.pdf

📖 CoST resources- one-stop-shop

MULTI-STAKEHOLDER   GENERAL REFERENCE

The Construction Sector Transparency Initiative (CoST) has set up a one-stop shop for information and resources useful to those interested in learning about CoST, its design, content, implementation and results. These resources are of relevance to donors, government, private sector and civil society stakeholders; as well as researchers, the media and those interested in bringing CoST to their own country.

http://www.constructiontransparency.org/resources.cfm

Consumer protection

CGAP: Implementing Consumer Protection in Emerging Markets and Developing Economies: A Technical Guide for Bank Supervisors

INTER-GOVERNMENT   DETAILED GUIDANCE

This technical guide for bank supervisors was published by the Consultative Group to Assist the Poor (CGAP)/World Bank in 2013. It highlights key areas of opportunity for bank supervisors to improve consumer protection in emerging markets and developing economies. The Guide is divided into two major sections, the first providing guidance points in eight areas of interest for supervisory staff and agencies, and the second suggesting a prioritization framework for supervisors, particularly those in low-income countries with resource and capacity constraints.

http://www.cgap.org/sites/default/files/Technical-Guide-Implementing-Consumer-Protection-August-2013.pdf

Consumers International: Charter of Consumer Rights

MULTI-STAKEHOLDER   PRINCIPLES

Consumer International's Charter of Consumer Rights from 1997 sets out best business practice in areas of interest to consumers such as ethical standards, competition, product standards, marketing, labelling, disclosure of information and consumer redress. It is based on the eight consumer rights: the right to basic needs, safety, information, choice, a fair hearing, redress, consumer education and a healthy environment. The Charter also provides a focus for consumer education campaigns, and highlights how different corporate activities can affect consumer rights. The accompanying Charter Assessment Form helps assess companies' progress in attaining the standards set by the Charter.

http://www.consumersinternational.org/media/321878/a%20consumer%20charter%20for%20global%20business.pdf

ISO: Code of Good Practice for Standardization (ISO/IEC: Guide 59:1994)

CIVIL SOCIETY   DETAILED GUIDANCE

The Code of Good Practice for Standardization from 1994 provides a guide to the development of standards, advancement of international trade, participation in the standards development process, coordination and information.

http://www.iso.org/iso/catalogue_detail.htm?csnumber=23390

📘 ISO: The Consumer and Standards: Guidance and principles for consumer participation in standards development

EXPERT / OTHER   DETAILED GUIDANCE

This report, published in 2003 by the International Organization for Standardization (ISO), gives guidance to those who represent consumer interests in the technical committees of the ISO and the International Electrotechnical Commission (IEC). After specifying how International Standards affect consumers and presenting several key definitions, the publication explains in some detail both the principles and procedures of consumer participation in standardization work and concludes with guidance on consumer expectations from certification.

http://www.iso.org/iso/standardsandconsumer.pdf

📘 OECD: Consumer Policy Toolkit

INTER-GOVERNMENT   DETAILED GUIDANCE

The purpose of the OECD Consumer Policy Toolkit, published in 2010, is to assist consumer policy makers in developing new consumer policy and in applying existing policy instruments effectively. The focus of the different chapters of the Toolkit include the benefits and risks to consumers of technological advances; the economics of consumer policy; techniques available to detect consumer problems; and policy tools to address problems, including information disclosure. The last chapter provides a guide to the development of consumer policy.

http://www.keepeek.com/Digital-Asset-Management/oecd/governance/consumer-policy-toolkit_9789264079663-en#page1

📘 OECD: Guidelines for Consumer Protection in the Context of Electronic Commerce

INTER-GOVERNMENT   DETAILED GUIDANCE

The OECD Guidelines for Consumer Protection in the Context of Electronic Commerce, agreed in 1999, are designed to help ensure that consumers are no less protected when shopping on line than they are when they buy from their local store or order from a catalogue. The Guidelines set out the core characteristics of effective consumer protection for online business-to-consumer transactions. In terms of Open Government, the Guidelines deal with transparency and disclosure of information pertaining to the online business, its goods and services, and its transactions.

http://www.oecd.org/fr/sti/consommateurs/oecdguidelinesforconsumerprotectioninthecontextofelectroniccommerce1999.htm

📘 United Nations: Guidelines for Consumer Protection

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The United Nations Guidelines for Consumer Protection from 2001 were developed to assist countries in developing and maintaining good standards for consumer protection. The Guidelines focus particularly on the areas of physical safety, promotion and protection of consumers' economic interests, safety and quality standards of goods and services, distribution facilities, redress measures, consumer education, sustainable consumption, and special measures related to food, water and pharmaceuticals. The Guidelines also touch upon the development of independent consumer groups and international cooperation in the field of consumer protection.

http://unctad.org/en/docs/poditcclpm21.en.pdf

Elections

ACE Electoral Knowledge Network

MULTI-STAKEHOLDER   GENERAL REFERENCE

ACE was established in 1998 (and changed name to ACE Electoral Knowledge Network in 2006). It is a collaborative effort between nine organisations and offers a wide range of services related to electoral knowledge, assistance and capacity development. Among other things, the ACE website is an online knowledge repository providing comprehensive information and customised advice on electoral processes.

http://www.aceproject.org

African Union's Convention on Preventing and Combating Corruption

INTER-GOVERNMENT   PRINCIPLES

The African Union's Convention on Preventing and Combating Corruption was adopted in 2003 to fight corruption on the African continent. Of particular relevance to safeguarding confidence in the election process are articles 7 (fight against corruption and related offences in the public service); 9 (access to information); 10 (funding of political parties); and 12 (civil society and media).

http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Convention%20on%20Combating%20Corruption.pdf

American Convention on Human Rights

INTER-GOVERNMENT   PRINCIPLES

The American Convention on Human Rights was adopted in 1969. Article 23 of the Convention – Right to Participate in Government – includes the right to take part in the conduct of public affairs, and the right to vote and to be elected in genuine periodic and universal elections.

http://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm

📘 Article 19 of the International Covenant on Civil and Political Rights

INTER-GOVERNMENT   PRINCIPLES

Article 19 of the International Covenant on Civil and Political Rights, adopted in 1966, contains provisions on the right to holding opinions and freedom of expression.

http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx

📘 Code of Conduct for the Ethical and Professional Administration of Elections

INTER-GOVERNMENT   DETAILED GUIDANCE

This Code of Conduct was published by the International Institute for Democracy and Electoral Assistance (IDEA) in 1997. It aims to assist election administrators by providing general guidelines for their work. The report has two parts: part one contains a summary of the purpose, functions, objectives and fundamental ethical principles of election administration; and part two contains detailed guidelines.

http://www.idea.int/publications/conduct_admin/

📘 Council of Europe Recommendation on Legal, Operational and Technical Standards for E-voting (2004)

INTER-GOVERNMENT   PRINCIPLES

The Council of Europe made a series of recommendations on e-voting in 2004. The recommendations stress, among other things, that e-voting must be made as reliable and secure as democratic elections and referendums which do not involve the use of electronic means, and that member states should consider reviewing their relevant domestic legislation concerning e-voting.

https://wcd.coe.int/ViewDoc.jsp?id=778189

📘 Council of Europe's Code of Good Practice in Electoral Matters

INTER-GOVERNMENT   PRINCIPLES   GENERAL REFERENCE

Noting the absence of a formal code of practice in Europe in electoral matters, this Code of Good Practice in Electoral Matters from 2001 calls on the European Commission for Democracy through Law (Venice Commission) to devise a code of practice in electoral matters.

http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=9544&Language=en

📘 Council of Europe's e-voting project

`INTER-GOVERNMENT`   `COMMUNITY OF PRACTICE`

The Council of Europe's e-voting project was initiated to help member states use e-voting as a response to falling participation rates in elections and referenda; especially to deal with the potential risks to security and secrecy posed by e-voting. The main focus of the project is to follow up on the Council's recommendation made in 2004 on e-voting.

http://www.coe.int/t/dgap/democracy/activities/ggis/E-voting/

📘 Deepening Democracy: A Strategy for Improving the Integrity of Elections Worldwide

`INTER-GOVERNMENT`   `GENERAL REFERENCE`

This report, published by the Global Commission on Elections, Democracy & Security in 2012, makes the case for enhancing integrity in elections and provides recommendations for different actors and stakeholders at the national and international level; and a recommendation to enhance national action through citizen empowerment and transnational partnerships.

http://www.global-commission.org/report

📘 Document of the 1990 Copenhagen Meeting of the Conference [now the Organisation] for Security and Cooperation in Europe

`INTER-GOVERNMENT`   `PRINCIPLES`

In this OSCE document from 1990, participating countries declared that among other human rights is the right to free elections held at reasonable intervals by secret ballot. In addition, the document contains a provision on electoral observers, stating that the presence of observers, both foreign and domestic, can enhance the electoral process for states in which elections are taking place.

http://www.osce.org/odihr/elections/14304

📘 Electoral Justice: The International IDEA Handbook

`INTER-GOVERNMENT`   `DETAILED GUIDANCE`

This Handbook on electoral justice was published by the International Institute for Democracy and Electoral Assistance (IDEA) in 2010. It examines the concept of electoral justice and how to prevent electoral disputes. Using examples from countries such as Afghanistan, Argentina, Bhutan, Bosnia and Herzegovina, Brazil, Burkina Faso, France, Indonesia, Japan, Mexico, the United Kingdom and the United States, it aims to assist countries with the design and implementation of an electoral justice system that best suits their situation.

http://www.idea.int/publications/electoral_justice/

📘 Electoral Management Design: The International IDEA Handbook

INTER-GOVERNMENT   DETAILED GUIDANCE

This Handbook on electoral management design was published by the International Institute for Democracy and Electoral Assistance (IDEA) in 2006. It is written for electoral administrators, electoral administration designers and other practitioners involved in building electoral administrations which can deliver legitimate and credible free and fair elections. It is a comparative study that shares best practices and know-how from around the world on financing, structuring and evaluation of Electoral Management Bodies.

http://www.idea.int/publications/emd/

Electoral System Design: The New International IDEA Handbook

INTER-GOVERNMENT   DETAILED GUIDANCE

This Handbook from 2005, published by the International Institute for Democracy and Electoral Assistance (IDEA), builds on and updates the IDEA Handbook of Electoral System Design from 1997. The Handbook is created for policy-makers, politicians and election administrators, and gives practical information explaining why certain countries choose different systems, and how other countries have modified inherited systems. It describes which electoral systems have proven advantageous for specific cultural, social and economic conditions, and how electoral systems can increase participation, reach-out to minorities and help instil faith in a sceptical electorate.

http://www.idea.int/publications/esd/index.cfm

European Union's Compendium of International Standards for Elections

INTER-GOVERNMENT   DETAILED GUIDANCE

The Compendium of International Standards for Elections was published by the European Commission in 2007 with the purpose to assist EU Election Observation Missions and other interested stakeholders in assessing the conduct of elections in line with international standards and ensure coherence among EU Election Observation Missions. The Compendium contains a practical guide to facilitate such assessment.

http://eeas.europa.eu/eueom/pdf/compendium-of-int-standards-for-elections_en.pdf

Existing Commitments for Democratic Elections in OSCE Participating States

INTER-GOVERNMENT   PRINCIPLES   GENERAL REFERENCE

This report was published by the Organization for Security and Co-operation in Europe (OSCE) in 2003. It is a progress report on a project initiated by the OSCE's Office for Democratic Institutions and Human Rights to establish an inventory of existing election-related norms, commitments, principles, and 'good practices'. The report contains the existing universal norms related to elections found in UN documents etc., including explanatory comments.

http://www.osce.org/odihr/elections/13957

📘 Inter-American Democratic Charter

INTER-GOVERNMENT   PRINCIPLES

An Inter-American Democratic Charter was adopted in 2001. It includes statements about democracy and its relation to human rights, development and poverty alleviation. It also includes provisions about the strengthening and preservation of democratic institutions, and the promotion of a democratic culture. Articles 23-25 concern electoral processes and include provisions on using electoral observation missions. It states, for example, that electoral observation missions from the Organisation of American States can be requested by member states.

http://www.oas.org/charter/docs/resolution1_en_p4.htm

📘 Inter-Parliamentary Union's Tools for Parliamentary Oversight

INTER-GOVERNMENT   DETAILED GUIDANCE

This report on parliamentary oversight was published by the Inter-Parliamentary Union in 2007. Based on data from 88 parliaments worldwide, it offers concrete examples of the tools used by different parliaments to oversee their governments. The report aims to provide practical guidance to people in the legislative branch and to those working to strengthen parliaments in order to improve parliament's oversight capacity.

http://www.ipu.org/PDF/publications/oversight08-e.pdf

📘 Managing Conflict of Interests: Frameworks, Tools, and Instruments for Preventing, Detecting, and Managing Conflict of Interest

INTER-GOVERNMENT   DETAILED GUIDANCE

This report is part of the Asia Development Bank (ADB)/OECD Anti-Corruption Initiative for Asia and the Pacific, which was launched in 1999. The report focuses on conflict of interest in the Asia/Pacific region. It is based on a regional seminar on conflict of interest which was held in Jakarta in 2007 and which brought together more than 150 experts from 23 of the Initiative's member countries and jurisdictions.

http://www.oecd.org/site/adboecdanti-corruptioninitiative/40838870.pdf

📘 Open Contracting: A New Frontier for Transparency and Accountability

EXPERT / OTHER   GENERAL REFERENCE

This report produced by the World Bank Institute, on behalf of the Open Contracting Partnership provides an overview of emerging practices and methodologies of disclosure and participation in public contracting . It outlines the practical actions that are already being taken by governments, civil society, private sector, and donors to support open contracting with reference to concrete examples from around the world as well as the rationales behind them.

http://pro-act.org/profiles/blogs/research-highlights-open-contracting-practices-from-around-the-wo

📘 Open Data Index

CIVIL SOCIETY   RATING

The Open Data Index was developed in 2013 to provide a global reference for the state of open data release by national governments. It provides an independent peer-reviewed assessment of openness in a range of key areas, reflecting the realities of public information release and practice in over 60 countries. 80 datasets are assessed, covering ten areas including transport, government budgets and spending, election results, company registers, national maps and statistics, legislation, postcodes and pollutant emissions.

https://index.okfn.org/

📘 Promoting Legal Frameworks for Democratic Elections- An NDI Guide for Developing Election Laws and Law Commentaries

CIVIL SOCIETY   DETAILED GUIDANCE

This report on election laws was published in 2008 by the National Democratic Institute for International Affairs (NDI). It provides a variety of tools and is designed to assist political parties, candidate support groups, civil society organisations and legal activists in assessing electoral related laws and developing commentaries, recommendations and advocacy for advancing legal frameworks for democratic elections. The Guide reflects nearly 25 years of NDI experience in more than 90 countries around the globe in their efforts to ensure electoral integrity, popular participation and democratic governance.

http://www.ndi.org/node/14905

📘 The African Charter on Elections, Democracy and Governance

INTER-GOVERNMENT   PRINCIPLES

An African Charter on Elections, Democracy and Governance was adopted by the African Union in 2007. The objectives of the Charter include promoting adherence to the principles of democracy, respect for human rights and the rule of law, and promoting the holding of regular free and fair elections and condemning unconstitutional change of government.

http://www.africa-union.org/root/au/Documents/Treaties/text/Charter%20on%20Democracy.pdf

📘 The Carter Center's Database of Obligations for Democratic Elections

EXPERT / OTHER   GENERAL REFERENCE

The Carter Center's Database of Obligations for Democratic Elections provides a catalogue of source quotes from treaties and other legal instruments; judicial decisions; decisions/recommendations from treaty supervisory committees; and handbooks and manuals. Its purpose is to assist election assistance providers, election observers and others in their

efforts to utilise human rights obligations for assessing the quality of electoral processes. The material is arranged into an electronic database, searchable by a number of criteria.

http://www.cartercenter.org/des-search/des/Introduction.aspx

The Inter-American Convention against Corruption

`INTER-GOVERNMENT` `PRINCIPLES`

The Inter-American Convention against Corruption, adopted in 1996, was the first international convention to address the question of corruption. Of particular relevance to safeguarding confidence in the election process are articles 5-7 and 11, which make provisions for establishing, in domestic law, various forms of corruption as criminal offences.

http://www.oas.org/juridico/english/Treaties/b-58.html

The Parliamentary Assembly of the Council of Europe's Draft Resolution on the protection of 'whistle-blowers'

`INTER-GOVERNMENT` `PRINCIPLES`

In this Draft Resolution on whistleblowing from 2009, the Committee on Legal Affairs and Human Rights stresses the importance of whistleblowing as an opportunity to strengthen accountability and fight corruption and mismanagement, both in the public and private sectors, and invites member states to review their legislation concerning the protection of whistleblowers.

http://fairwhistleblower.ca/files/fair/docs/ti/Council_of_Europe_Draft_WB_Resolution.pdf

United Nations Convention against Corruption

`INTER-GOVERNMENT` `PRINCIPLES`

The United Nations Convention against Corruption (UNCAC), adopted in 2003, contains a range of measures for State Parties to the Convention to take in order to prevent and combat corruption. Of particular relevance to safeguarding confidence in the election process are articles 8 (codes of conduct for public officials); 9 (public procurement and management of public finances); 10 (public reporting); 12 (private sector); 13 (participation of society); and 33 (protection of reporting persons).

http://www.unodc.org/pdf/crime/convention_corruption/signing/Convention-e.pdf

United Nations Human Rights Committee General Comment No. 25

`INTER-GOVERNMENT` `PRINCIPLES` `GENERAL REFERENCE`

This document, from 1996, provides comments by the UN Human Rights Committee on Article 25: The right to participate in public affairs, voting rights and the right of equal access to public service of the International Covenant on Civil and Political Rights – adopted by the United Nations General Assembly in 1966.

http://www.unhchr.ch/tbs/doc.nsf/0/d0b7f023e8d6d9898025651e004bc0eb

United Nations Human Rights Committee General Comment No. 34

INTER-GOVERNMENT   PRINCIPLES   GENERAL REFERENCE

This document, from 2011, provides comments by the UN Human Rights Committee on Article 19: Freedoms of opinion and expression of the International Covenant on Civil and Political Rights – adopted by the United Nations General Assembly in 1966.

http://www2.ohchr.org/english/bodies/hrc/docs/GC34.pdf

Environment

IAIA: Public Participation Best Practice Principles

MULTI-STAKEHOLDER   PRINCIPLES

These best practice principles, developed by the International Association for Impact Assessment (IAIA) in 2006, aim to promote a meaningful practice of public participation amongst impact assessment practitioners. The broad, generic and non-prescriptive principles are primarily designed for reference and use by those involved in public participation in impact assessment and are intended to be applicable at all levels and types of planned interventions.

The principles touch upon the issue of public hearings, stating that "People who are affected by the proposal and are interested in participating, whatever their ethnic origin, gender and income, should have access to all relevant information. Laypersons should be able to participate in relevant workshops, meetings and hearing related to the impact assessment process. Information and facilitation for such participation should be provided."

http://www.iaia.org/publicdocuments/special-publications/SP4%20web.pdf

IMF Guide on Resource Revenue Transparency

INTER-GOVERNMENT   DETAILED GUIDANCE

The International Monetary Fund's Guide on Resource Revenue Transparency from 2005 (updated in 2007) provides detailed transparency guidelines accompanied by explanatory text and examples of good practice in producing countries. The Guide aims to help steer resource-rich countries through the special issues arising from the technical complexity and volatility of resource revenue flows and from the sheer magnitude of such transactions. The Guide makes available to providers of technical support and civil society a set of authoritative references of good and best practices of resource

revenue transparency.

http://www.imf.org/external/np/pp/2007/eng/101907g.pdf

📘 Jakarta Declaration for Strengthening the Right to Environmental Information for People and the Environment

MULTI-STAKEHOLDER   PRINCIPLES   DETAILED GUIDANCE

The Jakarta Declaration was developed at a regional meeting in April/May 2013 attended by representatives of governments, international organisations, civil society organisations, and academia from China, Indonesia, Japan, Mongolia, Philippines, and Thailand. The Declaration urges governments to improve access to information on air and water quality pollution in Asia—and offers a detailed road map on how to do so. The Declaration also outlines ways that Asian nations can improve transparency, and public participation with regard to the environment.

http://insights.wri.org/news/2013/05/new-jakarta-declaration-aims-strengthen-rights-environmental-information-asia

📘 Open Data Index

CIVIL SOCIETY   RATING

The Open Data Index was developed in 2013 to provide a global reference for the state of open data release by national governments. It provides an independent peer-reviewed assessment of openness in a range of key areas, reflecting the realities of public information release and practice in over 60 countries. 80 datasets are assessed, covering ten areas including transport, government budgets and spending, election results, company registers, national maps and statistics, legislation, postcodes and pollutant emissions.

https://index.okfn.org/

📘 UN Environment Programme: Guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters

INTER-GOVERNMENT   PRINCIPLES

These Guidelines, also called the Bali Guidelines, from 2010 were developed in order to accelerate implementation of Principle 10 of the Rio Declaration of 1992 which state "Environmental issues are best handled with the participation of all concerned citizens..."

The Guidelines though voluntary, demonstrate a willingness by Governments to more thoroughly engage the public at all levels to protect and manage the environment and related resources. They also underline recognition of the need to fill gaps in legal norms and practices so as to encourage broad access to information, public participation and access to justice in environmental matters within the framework of national legislation and processes.

http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/GUIDELINES_TO_ACCESS_TO_ENV_INFO_2.pdf

📘 UN Environment Programme: Johannesburg Principles on the Role of Law and Sustainable Development

`INTER-GOVERNMENT` `PRINCIPLES`

The Johannesburg Principles on the Role of Law and Sustainable Development were adopted in Johannesburg, South Africa, in 2002. The Principles focus on tackling environmental challenges through improving countries' legal systems. Signatories to the Principles resolve to improve the level of public participation in environmental decision-making, access to justice for the settlement of environmental disputes and the defence and enforcement of environmental rights, and public access to relevant information. They also resolve to improve the capacity of those involved in the process of promoting, implementing, developing and enforcing environmental law, such as judges, prosecutors, and legislators.

http://www.unep.org/Documents.Multilingual/Default.asp?ArticleID=3115&DocumentID=259

📘 UN/ECE: Aarhus Convention

`INTER-GOVERNMENT` `PRINCIPLES`

The United Nations Economic Commission for Europe's (UN/ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, also known as the Aarhus Convention, was signed Aarhus, Denmark, in June 1998. It has been ratified by 45 states and the European Union. The Convention grants the public rights regarding access to information, public participation and access to justice, in governmental decision-making processes on matters concerning the local, national and transboundary environment. It focuses on interactions between the public and public authorities.

http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf

📘 UN/ECE: Aarhus Convention: An Implementation Guide

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

This is an implementation guide to the United Nations Economic Commission for Europe's (UN/ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters from 1998, also known as the Aarhus Convention. The guide provides both a general overview and a detailed article-by-article analysis of the Aarhus Convention. It is aimed at policy makers and politicians responsible for translating the Aarhus Convention into national legislation, as well as at public authorities faced with carrying out the Convention's obligations.

http://www.unece.org/fileadmin/DAM/env/pp/acig.pdf

📘 UN: Convention on the Elimination of All Forms of Discrimination against Women

`INTER-GOVERNMENT` `PRINCIPLES`

Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women from 1979 obliges state parties to the Convention to take all appropriate measures to eliminate discrimination against women in the political and public life of the country.

http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

📘 UN: Declaration on the Right to Development

`INTER-GOVERNMENT` `PRINCIPLES`

Article 8.2 of the Declaration on the Right to Development from 1986 recognises the importance of public participation, stating that "states should encourage popular participation in all spheres as an important factor in development and in the full realisation of all human rights."

http://www.un.org/documents/ga/res/41/a41r128.htm

📘 UN: Declaration on the Rights of Indigenous Peoples

`INTER-GOVERNMENT` `PRINCIPLES`

The Declaration on the Rights of Indigenous Peoples was adopted by the UN General Assembly in 2007. It states that indigenous peoples have the right to participate fully in the political, economic, social and cultural life of the State (Article 5); that indigenous peoples have the right to participate in decision-making in matters which would affect their rights (Article 18); that States shall consult and cooperate in good faith with the indigenous peoples concerned before adopting and implementing legislative or administrative measures that may affect them (Article 19); and that ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established (Article 41).

http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

📘 UN: International Covenant on Civil and Political Rights

`INTER-GOVERNMENT` `PRINCIPLES`

Article 25 of the International Covenant on Civil and Political Rights from 1966 grants every citizen the right to take part in the conduct of public affairs, directly or through freely chosen representatives.

http://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf

📘 UN: Millennium Declaration

`INTER-GOVERNMENT` `PRINCIPLES`

Paragraph 25 of the UN Millennium Declaration includes a provision to work collectively for more inclusive political processes, and allowing genuine participation by all citizens.

http://www.un.org/millennium/declaration/ares552e.htm

📘 UNITR: PRTR: Learn

INTER-GOVERNMENT   COMMUNITY OF PRACTICE

PRTR:Learn is an interactive site of the United Nations Institute of Training and Research (UNITR) on Pollutant Release and Transfer Registers (PRTR). Its main objective is to share insights, information, knowledge and resources on PRTRs. The platform provides the space for countries implementing and designing PRTRs to share their experiences on reporting pollutants in their territories, enhancing the exchange of lessons learned and facilitating the provision of knowledge to countries that will develop PRTRs in the future. It also provides a space for public to obtain information on the latest news on PRTRs and to increase its participation on environmental issues.

http://prtr.unitar.org/en

📖 World Resources Institute: Administrative Procedure Principles

EXPERT / OTHER   PRINCIPLES

The World Resources Institute, through its Public Administrative Fairness project, has identified a set of broadly applicable general principles for ensuring procedural justice in environmental decision making. The project aims at creating an annotated set of principles that illustrate their application using good practice examples.

http://www.wri.org/events/administrative-fairness-environmental-decision-making-stakeholder-workshop

📖 WRI: A Seat at the Table

EXPERT / OTHER   GENERAL REFERENCE

This report from 2010 by the World Resources Institute examines access rights and practices through four case studies: Cameroon, Paraguay, Philippines, and Sri Lanka. The case studies cover a range of environmental concerns including water quality, land use, data availability, and the use or absence of environmental impact assessments. They present examples where civil society organisations, community groups and governments have taken steps to overcome various barriers to access, including low literacy rates, high costs, exposure to risk from participation, lack of documentation of legal identity or right to a resource that is necessary to influence decisions, and adverse cultural norms. The report proposes a set of policy responses to overcome these barriers.

http:// http://pdf.wri.org/a_seat_at_the_table.pdf

Extractive industry

📖 Extractive Industries Transparency Initiative Standard

MULTI-STAKEHOLDER   PRINCIPLES   DETAILED GUIDANCE   DATA STANDARD

The Extractive Industries Transparency Initiative (EITI) Standard is a global transparency standard whose purpose is to ensure disclosure of government revenues from natural resources in counties signing up to the EITI. Building on the EITI Principles from 2003, the EITI Standard was launched in 2013 after two years of stakeholder consultation. Compared to the

earlier Principles, the Standard aims to produce more relevant, reliable and usable information, as well as better linkages to wider reforms.

http://eiti.org/files/EITI STANDARD-screen-version.pdf

📖 Guidelines for Good Governance in Emerging Oil and Gas Producers

`EXPERT / OTHER` `GENERAL REFERENCE`

These Guidelines for Emerging Oil and Gas Producers are drawn from a Chatham House project that gathers petroleum producers and governance experts. Their focus is not on best-practice standards established in successful petroleum-producing countries but in the most appropriate steps for emerging producers to take in establishing their industry, often the context of weak institutional capacity, low knowledge of the petroleum sector, and pressing socio-economic challenges.

http://www.chathamhouse.org/publications/papers/view/194059

📖 IMF Guide on Resource Revenue Transparency

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

The International Monetary Fund's Guide on Resource Revenue Transparency from 2005 (updated in 2007) provides detailed transparency guidelines accompanied by explanatory text and examples of good practice in producing countries. The Guide aims to help steer resource-rich countries through the special issues arising from the technical complexity and volatility of resource revenue flows and from the sheer magnitude of such transactions. The Guide makes available to providers of technical support and civil society a set of authoritative references of good and best practices of resource revenue transparency.

http://www.imf.org/external/np/pp/2007/eng/101907g.pdf

📖 Mining Contracts – how to read and understand them

`EXPERT / OTHER` `GENERAL REFERENCE`

A book created to support legislators, negotiators and civil society organisations to understand key issues in contract negotiation.

http://www.resourcecontracts.org/blog/guides-to-contract-terminology.html

📖 Natural Resource Charter

`MULTI-STAKEHOLDER` `PRINCIPLES` `DETAILED GUIDANCE`

The Natural Resource Charter is a set of principles to guide governments and societies in their use of natural resources so that these economic opportunities result in maximum and sustained returns for citizens. It provides a framework for addressing the challenges of natural resource management and is directed primarily at policy makers and citizens in

resource-rich countries. The drafters of the Charter are an independent group of the world's foremost experts in economically sustainable resource extraction.

http://naturalresourcecharter.org/sites/default/files/NRC Eng_2011.pdf

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📖 Open Contracting Global Principles

`MULTI-STAKEHOLDER` `PRINCIPLES`

The Principles reflect norms and best practices from around the world related to disclosure and participation in public contracting. The Principles are intended to guide governments and other stakeholders to affirmatively disclose documents and information related to public contracting in a manner that enables meaningful understanding, effective monitoring, efficient performance, and accountability for outcomes.

http://www.open-contracting.org/global_principles

📖 Open Contracting: A New Frontier for Transparency and Accountability

`EXPERT / OTHER` `GENERAL REFERENCE`

This report produced by the World Bank Institute, on behalf of the Open Contracting Partnership provides an overview of emerging practices and methodologies of disclosure and participation in public contracting . It outlines the practical actions that are already being taken by governments, civil society, private sector, and donors to support open contracting with reference to concrete examples from around the world as well as the rationales behind them.

http://pro-act.org/profiles/blogs/research-highlights-open-contracting-practices-from-around-the-wo

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📖 Resource Revenue Transparency Working Group: Recommendations on Mandatory Disclosure of Payments from Canadian Mining Companies to Governments

`MULTI-STAKEHOLDER` `GENERAL REFERENCE`

These recommendations were jointly drawn up by the Mining Association of Canada, the Prospectors & Developers Association of Canada, Publish What You Pay Canada, and the Revenue Watch Institute and released in January 2014. They outline a reporting framework for public disclosure of the payments made by extractive industry companies to governments in every country in which they operate, disaggregated by project. They recommend that these disclosure requirements be made mandatory for listed companies through securities regulation. The framework is aimed at Canadian legislators and companies raising funds in Canada, but highlights the need for equivalency with other jurisdictions.

http://www.pwyp.ca/images/M_images/Working_Group_Transparency_Recommendations_Eng.pdf

📘 Revenue Development Foundation tools

EXPERT / OTHER   DATA STANDARD

The Revenue Development Foundation (RDF) is a development organisation seeking to assist governments to increase their revenues. The foundation advises and supports governments in developing countries to mobilise revenue from legitimate sources such as through licenses and property taxation.

RDF develops and operates software systems for government management of licenses (including minerals concessions, forestry rights, fisheries rights).
http://www.revenuedevelopment.org

📘 Revenue Watch: Resource Governance Index

EXPERT / OTHER   RATING

The Resource Governance Index measures the quality of governance in the oil; gas and mining sector in 58 countries. It evaluates four key components of resource governance in each country: institutional and legal setting; reporting practices; safeguards and quality controls; and enabling environment. In addition, the report provides a diagnostic tool to help identify good practices as well as governance shortcomings, and offers a set of policy recommendations.

http://www.revenuewatch.org/sites/default/files/rgi_2013_Eng.pdf

📘 RWI: Contract Confidential Report

CIVIL SOCIETY   GENERAL REFERENCE

This report 'Contracts Confidential: Ending Secret Deals in the Extractive Industries' , published by the Revenue Watch Institute in 2009 includes a global survey of confidentiality clauses and a model 'best practice' confidentiality clause.

http://www.revenuewatch.org/sites/default/files/RWI-Contracts-Confidential.pdf

📘 Santiago principles

INTER-GOVERNMENT   PRINCIPLES

The Santiago Principles established by the International Working Group of Sovereign Wealth Funds (IWG)are a set of 24 voluntary guidelines that assign best practices for the operations of Sovereign Wealth Funds. They provide a common framework of accepted principles and practices regarding governance and accountability arrangements. The Principles monitor three areas: legal framework, institutional framework and governance framework, and investment policies and risk management. So far 25 nations have signed onto the Principles.

http://www.iwg-swf.org/pubs/eng/santiagoprinciples.pdf

📘 Spatial Dimension: Flexicadastre

EXPERT / OTHER   DATA STANDARD

The Flexicadastre system designed by Spatial Dimension is one solution used to implement Mining Cadastre Systems to facilitate all aspects of the application, evaluation, granting and compliance monitoring of mineral rights and related permits. As well as using the system to facilitate application and concession management a number of countries have also used the system to develop Public Mining Cadastre Portals.

http://www.spatialdimension.com/Solutions/EITI-Compliance

Fisheries

FAO Technical: Guidelines for Responsible Fisheries

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The Guidelines for Responsible Fisheries from 2009 aim to foster a better understanding of the issues involved in supporting implementation of the Code of Conduct for Responsible Fisheries. The purpose is to ensure that stakeholders obtain the essential information that they need and that they make available their own information and knowledge for the public good.

ftp://ftp.fao.org/docrep/fao/011/i0587e/i0587e00.pdf

FAO: Global Record for fishing vessels

INTER-GOVERNMENT   DATA STANDARD

The Global Record of Fishing Vessels Refrigerated Transport Vessels and Supply Vessels (Global Record) is a voluntary, phased and collaborative global initiative intending to make information available on vessel identification and other relevant data with the aim of providing a reliable and rapid way to contrast data with other sources. Fishing vessels are included but also other vessels involved in fishing operations are included.

http://www.fao.org/fishery/global-record/en

Land

Global Land Tool Network (GLTN): Global Land Tools Guidance

MULTI-STAKEHOLDER   DETAILED GUIDANCE   GENERAL REFERENCE

A land tool is a practical way to solve a problem in land administration and management. It is a way to put principles,

policies and legislation into effect. The term covers a wide range of methods: from a simple checklist to use when conducting a survey, a set of software and accompanying protocols, or a broad set of guidelines and approaches. The emphasis is on practicality: users should be able to take a land tool and apply it (or adapt it) to their own situation.

http://www.gltn.net/index.php/land-tools/introduction-to-land-tools

Guidance Note for Annotating Commercial Agriculture and Forestry Contracts (2014)

MULTI-STAKEHOLDER   DETAILED GUIDANCE   DATA STANDARD

The Guidance Note for Annotating Commercial Agriculture and Forestry Contracts consists of an excel template to assist in annotating contracts for large-scale oil, gas, mining, agriculture, and forestry deals. It was developed by the World Bank Institute, Revenue Watch Institute and the Vale Columbia Center on Sustainable International Investment to help standardise the annotation process, with the goal of making the annotated contracts more accessible to a wider audience and easier to understand. The template includes specific rows to note the main fiscal, social, human rights, environmental, and operational terms of the contracts and to summarise key provisions.

http://www.resourcegovernance.org/sites/default/files/resourcecontracts/CCSI_NRGI_WBG_Guidance_Note_Annotating_Commercial_Ag_Forests_draft_022014.1.pdf

Open Contracting Global Principles

MULTI-STAKEHOLDER   PRINCIPLES

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http://www.open-contracting.org/global_principles

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EXPERT / OTHER   GENERAL REFERENCE

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http://pro-act.org/profiles/blogs/research-highlights-open-contracting-practices-from-around-the-wo

📖 Principles for Responsible Investment in Agriculture and Food Systems (2014)

MULTI-STAKEHOLDER   PRINCIPLES

The Principles for Responsible Investment in Agriculture and Food Systems, although voluntary and non-binding, represent the first time that governments, the private sector, civil society organisations, UN agencies, development banks, foundations, research institutions and academia have agreed on what constitutes responsible investment in agriculture and food systems that contribute to food security and nutrition.

The **Principles** address all types of investment in agriculture and food systems – public, private, large, small – and in the production and processing spheres. They provide a framework that all stakeholders can use when developing national policies, programmes, regulatory frameworks, corporate social responsibility programmes, individual agreements and contracts.

http://www.fao.org/cfs/cfs-home/resaginv/en/

📖 UN Declaration on the Rights of Indigenous People (2007)

INTER-GOVERNMENT   PRINCIPLES

The United Nations Declaration on the Rights of Indigenous Peoples was adopted by the United Nations General Assembly in 2007. While as a General Assembly Declaration it is not a legally binding instrument under international law, according to a UN press release, it does "represent the dynamic development of international legal norms and it reflects the commitment of the UN's member states to move in certain directions".

http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

📖 UN Guiding Principles for Business and Human Rights (2011)

INTER-GOVERNMENT   PRINCIPLES

A set of global guiding principles for business designed to ensure that companies do not violate human rights in the course of their transactions and that they provide redress when infringements occur. The Guiding Principles for Business and Human Rights outline how States and businesses should implement the UN "Protect, Respect and Remedy" Framework in order to better manage business and human rights challenges.

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

📖 UN: Basic principles and guidelines on development-based evictions and displacement

INTER-GOVERNMENT   PRINCIPLES

The Guidelines address the human rights implications of evictions induced by development projects and related displacement in urban and rural areas. They represent a further development of the Comprehensive Human Rights Guidelines on Development-based Displacement.

http://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf

📘 USAID: Land Tenure and Property Rights Situation Assessment and Intervention Planning Tool (2013)

`EXPERT / OTHER` `DETAILED GUIDANCE`

The LTPR Situation Assessment and Intervention Planning Tool was developed to help USAID make analysis and programmic decisions in countries where land tenure and property rights (LTPR) pose concerns. It aims to help USAID missions determine how LTPR concerns are affecting the current development programming in a country (Situation Assessment); guide USAID in choosing appropriate LTPR interventions and in determining the scale, timing, duration, and ordering of those interventions (Intervention Planning); and facilitate creation of a system to track the realisation of programmatic goals and USAID Development Objectives (Monitoring and Evaluation). Using this tool can help standardise these processes so that results and recommendations are analysed and presented in a framework that is comparable for all settings.

http://usaidlandtenure.net/sites/default/files/USAID_Land_Tenure_Situation_Assessment_and_Intervention_Planning_Tool.pdf

📘 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (2012)

`INTER-GOVERNMENT` `PRINCIPLES`

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment. They were officially endorsed by the Committee on World Food Security on 11 May 2012. Since then implementation has been encouraged by G20, Rio+ 20, United Nations General Assembly and Francophone Assembly of Parliamentarians.

http://www.fao.org/nr/tenure/voluntary-guidelines/en/

📘 World Bank: Land Governance Assessment Framework (2015)

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

The LGAF, developed by the World Bank and its partners, provides a holistic, diagnostic review at the country level that can inform policy dialogue in a clear and targeted manner. It is built around five main areas of policy intervention: Legal & Institutional Framework; Land Use Planning, Management and Taxation; Management of Public Land; Public Provision of Land Information; Dispute Resolution and Conflict Management.

http://go.worldbank.org/XW0YK1HU60

Open government data

📖 6 Degrees of Corporations

CIVIL SOCIETY　　DETAILED GUIDANCE　　GENERAL REFERENCE

6 Degrees of Corporation is an initiative under the Sunlight Foundation that looks exclusively at improving corporate accountability through Unique Corporate Identifiers. The Website provides a visualisation of the problem of not having unique corporate identifiers using one of the most common corporate identifiers (DUNS numbers), as well as an overview of the major U.S. federal systems, and a case study of one country that has successfully overcome this problem.

http://sunlightfoundation.com/sixdegrees/resources/

📖 Open Data Definition

EXPERT / OTHER　　PRINCIPLES

The Open Definition gives full details on the requirements for 'open' data and content. Key features are: availability and access, reuse and redistribution, and universal participation.

http://opendefinition.org/

📖 Open Data Guidelines for Procurement

EXPERT / OTHER　　DETAILED GUIDANCE

The Sunlight Foundation has created a set of guidelines to help shape how governments release data on their procurement process. The guidelines focus on how to make the procurement process more transparent, and what is required to allow for distributed oversight, fair competition, and an accessible market in government procurement.

http://sunlightfoundation.com/procurement/opendataguidelines

📖 Open Knowledge Foundation Open Data Handbook

EXPERT / OTHER　　DETAILED GUIDANCE　　GENERAL REFERENCE

The Open Data Handbook by the Open Knowledge Foundation provides an introduction to the legal, social and technical aspects of open data and is especially useful for those working with government data. It explains the basic concepts of open data, especially in relation to government, and covers how open data creates value and can have a positive impact in many different areas. In addition to exploring the background, the handbook also provides concrete information on how to produce open data.

http://opendatahandbook.org/pdf/OpenDataHandbook.pdf

📖 OpenGovData.io

`EXPERT / OTHER` `GENERAL REFERENCE`

In his book 'Open Government Data' from 2012, author Joshua Tauberer discusses the principles behind the open government data movement in the United States, including uses for transparency and civic engagement, a brief legal history, data quality, civic hacking, and paradoxes in transparency.

http://opengovdata.io/

📖 Sunlight Foundation: Open Data Policy Guidelines

`EXPERT / OTHER` `DETAILED GUIDANCE`

The Open Data Policy Guidelines attempt to answer the specific question: What can or should an open data policy do? The guidelines are organised to help define (i) what data should be public; (ii) how to make data public, and (iii) how to implement policy – three key elements of any legislation, executive order, or other policy seeking to include language about open data.

http://sunlightfoundation.com/opendataguidelines/

📖 Ten Principles for Opening Up Government Information

`EXPERT / OTHER` `PRINCIPLES`

The Sunlight Foundation's Ten Principles for Opening Up Government Information provide a lens to evaluate the extent to which government data is open and accessible to the public. The principles are completeness, primacy, timeliness, ease of physical and electronic access, machine readability, non-discrimination, use of commonly owned standards, licensing, permanence and usage costs.

http://sunlightfoundation.com/policy/documents/ten-open-data-principles/

📖 The 10 Principles for Open Data

`EXPERT / OTHER` `PRINCIPLES`

The Sunlight Foundation's 10 Principles for Opening Up Government Information provide a lens to evaluate the extent to which government data is open and accessible to the public. The principles are completeness, primacy, timeliness, ease of physical and electronic access, machine readability, non-discrimination, use of commonly owned standards, licensing, permanence and usage costs.

http://sunlightfoundation.com/policy/documents/ten-open-data-principles/

World Bank Open Data Toolkit

`INTER-GOVERNMENT`   `DETAILED GUIDANCE`

The Open Data Toolkit contains information divided onto five different sections: 1) open data essentials; 2) technology options for open data systems; 3) how to build demand and engagement; 4) how to manage supply and quality of data, and 5) a readiness assessment tool.

http://data.worldbank.org/open-government-data-toolkit

World Wide Web Consortium: Linked Data

`EXPERT / OTHER`   `DETAILED GUIDANCE`

The Linked Data article, published by the World Wide Web Consortium (W3C), discusses solutions to problems resulting in unlinked data. It provides details concerning implementation, and discusses factors affecting choices about how to publish linked data.

http://WWW.W3.ORG/DESIGNISSUES/LINKEDDATA

World Wide Web Consortium: Publishing Open Government Data

`EXPERT / OTHER`   `DETAILED GUIDANCE`

The document 'Publishing Open Government Data' from 2009 contains a set of guidelines developed by the World Wide Web Consortium eGov Interest Group. The guidelines set out standards and methodologies to encourage publication of government data.

http://www.w3.org/TR/gov-data/

Parliaments

Commonwealth Parliamentary Association: Recommended Benchmarks for Democratic Legislatures

`INTER-GOVERNMENT`   `DETAILED GUIDANCE`

This is a guide for Parliaments seeking either to find new ways to strengthen their performance as part of a democratic reform programme, or to determine whether they have kept up with advances in parliamentary practices and procedures. Organisations and agencies providing parliamentary strengthening programmes may also use the Benchmarks in partnership with Parliaments and Legislatures to guide their programming.

http://www.cpahq.org/cpahq/Main/Document_Library/Benchmarks_for_Democratic_Legislatures/Recommended_Benchmarks_for_Democratic_Legislatures.aspx

Consumer Financial Protection Bureau: The CFPB's source code policy

EXPERT / OTHER   PRINCIPLES

The source code policy for the US Consumer Financial Protection Bureau states that "We use open-source software, and we do so because it helps us fulfil our mission. Open-source software works because it enables people from around the world to share their contributions with each other." The policy also states that "When we build our own software or contract with a third party to build it for us, we will share the code with the public at no charge."

http://www.consumerfinance.gov/blog/the-cfpbs-source-code-policy-open-and-shared/

Declaration on Parliamentary Openness

MULTI-STAKEHOLDER   PRINCIPLES   DETAILED GUIDANCE   COMMUNITY OF PRACTICE

OpeningParliament.org provides a forum intended to help connect the world's civic organisations engaged in monitoring, supporting and opening up their countries' parliaments and legislative institutions. It is the home of the Declaration on Parliamentary Openness, a set of shared principles on the openness, transparency and accessibility of parliaments supported by more than 130 organisations from 75 countries.

The Declaration is accompanied by an extensive compilation of best practices and background commentary on each provision, which is intended to be a living document.

http://openingparliament.s3.amazonaws.com/docs/declaration/commentary-20120914.pdf

EU: Information and Communications Technologies in Parliament: Tools for Democracy

INTER-GOVERNMENT   DETAILED GUIDANCE

Parliaments in a democracy must be efficient in their operations, transparent in their actions and have strong ties to their citizens. This second booklet in the OPPD series offers a roadmap for ICT managers and other parliamentary officials responsible for overseeing ICT to assist them in the planning and development of computer and communication systems to support their respective legislative assemblies.

http://www.europarl.europa.eu/pdf/oppd/Page_8/ICT_FINAL.pdf

Global Centre for ICT in Parliament: World e-Parliament Report 2012

INTER-GOVERNMENT   RATING   GENERAL REFERENCE

The World e-Parliament Report 2012 documents the efforts of legislatures to use information and communication technologies (ICT) to support their constitutional functions. The Report is based on the Global Survey of ICT in Parliaments 2012 conducted by the Global Centre for ICT in Parliament between February and May 2012, which is the third in a series of surveys that began in 2007.

http://www.ictparliament.org/WePReport2012

Inter-Parliamentary Union & United Nations: Global Parliamentary Report, 2012

INTER-GOVERNMENT   GENERAL REFERENCE

The *Global Parliamentary Report* analyses parliamentary strategies to engage with citizens and argues that parliaments need to be in a constant process of evolution.

http://www.ipu.org/pdf/publications/gpr2012-full-e.pdf

Inter-Parliamentary Union: Guidelines for Parliamentary Websites

INTER-GOVERNMENT   DETAILED GUIDANCE

In 2008, the Global Centre for ICT in Parliament, in consultation with the Inter-Parliamentary Union, undertook the task of updating the Guidelines to reflect advances in technology and new practices in parliaments that have emerged in the last several years. As with the 2000 Guidelines, the Guidelines for Parliamentary Websites are intended to provide recommendations that are practically oriented to facilitate the task of planning and overseeing websites and to enable parliaments to provide concrete guidance to their website designers, developers and managers.

http://www.ipu.org/PDF/publications/web-e.pdf

IPU: Social Media Guidelines for Parliaments

INTER-GOVERNMENT   DETAILED GUIDANCE

Developed by the Inter Parliamentary Union, the Guidelines draw on lessons learned by parliaments so far and on good practice in the social media sphere. The objective is to encourage more widespread, more efficient and more effective use of social media by parliaments. The Guidelines cover governance and oversight, compliance and legal issues and planning and strategies for engagement.

http://www.ipu.org/PDF/publications/SMG2013EN.pdf

Police and public security

Council of Europe's European Code of Police Ethics

INTER-GOVERNMENT   PRINCIPLES

The code addresses issues such as the objectives of the police, the legal basis of the police under the rule of law, the relationship between the police and the criminal justice system, the organisational structures of the police, police action and intervention, police accountability and control, and research and international cooperation.

http://polis.osce.org/library/f/2687/500/CoE-FRA-RPT-2687-EN-500

DCAF: Overseeing Intelligence Services: A Toolkit

CIVIL SOCIETY   DETAILED GUIDANCE

DCAF's toolkit provides detailed guidance on the oversight of specific areas of intelligence services' activities. Its primary focus is on oversight by parliamentary committees and expert non-parliamentary bodies (e.g. supreme audit institutions and data protection commissions) and, to a lesser extent, on oversight by (quasi)judicial bodies.

http://www.dcaf.ch/Publications/Overseeing-Intelligence-Services-A-Toolkit

Government Accountability Project: International Best Practices for Whistleblower Policies

CIVIL SOCIETY   DETAILED GUIDANCE

This document by the Government Accountability Project from 2013 provides a checklist of 20 requirements to ensure that whistleblower laws are in line with international best practice. These 'best practices' standards are based on a compilation of all national laws and Intergovernmental Organisation policies such as those at the United Nations and World Bank.

http://www.whistleblower.org/storage/documents/Best_Practices_Document_for_website_March_13_2013.pdf

International Principles on the Application of Human Rights to Communications Surveillance

MULTI-STAKEHOLDER   PRINCIPLES

These principles were developed through consultation among civil society, privacy and technology experts and have been co-signed by over hundred organisations from around the world. The process was led by Privacy International, Access, and the Electronic Frontier Foundation. The Principles lay out how international human rights law applies in the current digital environment, particularly in relation to communications surveillance technologies and techniques. These principles can provide civil society groups, industry, states and others with a framework to evaluate whether current or proposed surveillance laws and practices are consistent with human rights. These principles are the outcome of a global consultation with civil society groups, industry and international experts in communications surveillance law, policy and technology.

https://en.necessaryandproportionate.org/text

Interpol: Global Standards to Combat Corruption in Police Forces/Services

`INTER-GOVERNMENT` `PRINCIPLES`

These codes and protocols are intended to promote and strengthen measures to prevent, detect, punish and eradicate corruption in the police forces/services within its national boundaries and to help bring to justice police officers and other employees of police forces/services who are corrupt.

http://www.interpol.int/Media/Files/Crime-areas/Corruption/Global-standards-to-combat-corruption-in-police-forces

OECD: G20, Whistleblower Protection Frameworks, Compendium of Best Practices and Guiding Principles for Legislation

`INTER-GOVERNMENT` `PRINCIPLES`

This OECD study from 2011 focuses on the main features of whistleblower protection laws, and provides best practice examples from G20 countries in the scope and application of their laws. The report also includes a set of guiding principles, which provide reference for countries intending to establish, modify or complement whistleblower protection frameworks.

http://www.oecd.org/general/48972967.pdf

OGP Eligibility Criteria: Citizen Engagement

`OGP ELIGIBILITY CRITERIA` `RATING`

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts. Any government that achieves a score of at least 75% of the total possible points available to them can join OGP at any time once they have demonstrated that they meet these minimum criteria.

Openness to citizen participation, including basic protections for civil liberties is one of the four criteria for eligibility. This is measured using the 2012 EIU Democracy Index's Civil Liberties sub-indicator where 10 is the highest and 0 is the lowest score, 4 points for countries scoring above 7.5, 3 points for countries scoring above 5, 2 points for countries scoring above 2.5, and 0 points otherwise. The 2012 Economist Intelligence Unit Democracy Index covers 167 countries.

http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria

Public Office, Private Interests: Accountability through Income and Asset Disclosure

`INTER-GOVERNMENT` `DETAILED GUIDANCE` `GENERAL REFERENCE`

This is a Stolen Asset Recovery Initiative publication from 2012. It focuses on income and asset disclosure requirements for the executive and legislative branches of government and is intended (together with its companion, Income and Asset Disclosure: Case Study Illustrations) to be a guide for practitioners and policy-makers and for others with an interest in anti-corruption tools and procedures. It sets out the basic elements of asset disclosure systems and key considerations that can influence the design, implementation, and enforcement of an asset disclosure framework in different contexts.

http://star.worldbank.org/star/sites/star/files/Public Office Private Interests.pdf

📘 TI: Arresting corruption in the police – The global experience of police corruption reform efforts

`CIVIL SOCIETY`   `DETAILED GUIDANCE`

This report is the result of a survey of global experience of police anti-corruption reforms. It analyses police corruption and looks at reforms that were undertaken to tackle it. The study offers a way to analyse police corruption more systematically through a 'police typology', and looks at examples of police reform in 10 countries around the globe: Australia, Afghanistan, China, Georgia, Honduras, Jamaica, Kenya, Serbia, Singapore, and Venezuela.

http://issuu.com/tidefence/docs/2012-11_arrestingcorruptioninpolice

📘 Tshwane Principles on National Security and the Right to Information

`CIVIL SOCIETY`   `PRINCIPLES`

The Tshwane Principles on National Security and the Right to Information were issued in June 2013 by 22 organisations and academic centres from around the world. The Principles were developed in order to provide guidance to those engaged in drafting, revising or implementing laws or provisions relating to the state's authority to withhold information on national security grounds or to punish the disclosure of such information. They are based on international and regional law and standards, evolving state practice, the general principles of law recognized by the community of nations, and the writings of experts.

They have been endorsed by The European Parliament, the Parliamentary Assembly of the Council of Europe (PACE), the Special Rapporteurs on Freedom of Expression of the UN, OAS and African Commission on Human and Peoples Rights; the OSCE Representative on Freedom of the Media; and the UN Special Rapporteur on Counter-Terrorism and Human Rights.

http://www.right2info.org/exceptions-to-access/national-security

📘 UN Code of Conduct for Law Enforcement Officials and supplementary guidelines

`INTER-GOVERNMENT`   `PRINCIPLES`

The code of conduct covers the accountability of law enforcement officials, through their representation and response to the whole community. The code was first introduced in 1979 and supplemented a decade later. It is the overarching standard for global policing.

http://www.un.org/disarmament/convarms/ATTPrepCom/Background%20documents/CodeofConductforlawEnfOfficials-E.pdf

📘 UNODC: Criminal Justice Toolkit

`INTER-GOVERNMENT`   `DETAILED GUIDANCE`

The toolkit is designed to enable United Nations agencies, government officials engaged in criminal justice reform, as well as other organisations and individuals to conduct comprehensive assessments of criminal justice systems. It is designed to help identify areas of technical assistance; to assist agencies in the design of interventions that integrate United Nations standards and norms on crime prevention and criminal justice; and to assist in training on these issues.

http://www.unodc.org/unodc/en/justice-and-prison-reform/Criminal-Justice-Toolkit.html

Privacy and data protection

📘 Council of Europe: Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data

`INTER-GOVERNMENT` `PRINCIPLES`

The Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data from 1981 extended the safeguards for everyone's rights and fundamental freedoms, and in particular the right to the respect for privacy, taking account of the increasing flow across frontiers of personal data undergoing automatic processing.

http://conventions.coe.int/Treaty/en/Treaties/Html/108.htm

📘 European Commission – Article 29 Working Party: Opinion 05/2014 on Anonymisation Techniques

`INTER-GOVERNMENT` `GENERAL REFERENCE`

Article 29 Working Party – an independent European advisory body on data protection and privacy – adopted an Opinion on Anonymisation Techniques in 2014. The Opinion provides an analysis of the effectiveness and limits of existing anonymisation techniques against the EU legal background of data protection and provides recommendations to handle these techniques by taking account of the residual risk of identification inherent in each of them.

http://www.cnpd.public.lu/fr/publications/groupe-art29/wp216_en.pdf

📘 European Union: European Data Protection Directive 1995

`INTER-GOVERNMENT` `PRINCIPLES`

The Data Protection Directive from 1995 (officially Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data) is a European Union directive which regulates the processing of personal data within the European Union. It is an important component of EU privacy and human rights law. The principle of the Directive is that personal data should not be processed at all, except when certain conditions are met, and these conditions fall into three categories: transparency, legitimate purpose, and proportionality. In 2012, the European Commission unveiled a draft European General Data Protection Regulation that will supersede the Data Protection Directive. This proposed new European Union Data Protection Regulation extends the scope of the EU data

protection law to all foreign companies processing data of European Union residents.

http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31995L0046&from=en

📘 Global Network Initiative: Principles on Freedom of Expression and Privacy

`MULTI-STAKEHOLDER`   `PRINCIPLES`

The Global Network Initiative's Principles on Freedom of Expression and Privacy are based on internationally recognized laws and standards for human rights and were developed collaboratively by companies, investors, civil society organisations and academics. The Principles and their accompanying Implementation Guidelines aim to provide direction and guidance to the ICT industry and its stakeholders in protecting and advancing the enjoyment of human rights globally.

https://globalnetworkinitiative.org/sites/default/files/GNI_-_Principles_1_.pdf

📘 GSMA: Privacy Design Guidelines for Mobile Application Development

`EXPERT / OTHER`   `DETAILED GUIDANCE`

The Privacy Design Guidelines for Mobile Application Development, published by GSMA in 2012, are intended to help ensure that mobile applications are developed in ways that respect and protect the privacy of users and their personal information. The guidelines encourage the development, delivery and operation of mobile applications that put users first and help them understand (at a minimum) what personal information a mobile application may access, collect and use; what the information will be used for, and why; and how users may exercise choice and control over this use. The publication provides examples and illustrative cases concerning the practical use of the Guidelines in a separate Annex.

http://www.gsma.com/publicpolicy/privacy-design-guidelines-for-mobile-application-development

📘 GSMA: The Mandatory Registration of Prepaid SIM Card Users – A White Paper

`EXPERT / OTHER`   `GENERAL REFERENCE`

Noting that, as of 2013, at least 80 countries globally have mandated, or are actively considering mandating, the registration of prepaid SIM users, the objectives of this GSMA White Paper are to provide insights and recommendations to support public deliberation on the merits or otherwise of mandating prepaid SIM registration. The White Paper highlights the potential unintended consequences of mandating prepaid SIM user registration; outlines the benefits that SIM user registration can deliver; recommends factors that policy-makers should consider before any decision to mandate the registration of prepaid SIM users; and demonstrates best practices from a range of countries that policy-makers should take into account if the decision to mandate prepaid SIM user registration has already been made.

http://www.gsma.com/publicpolicy/wp-content/uploads/2013/11/GSMA_White-Paper_Mandatory-Registration-of-Prepaid-SIM-Users_32pgWEBv3.pdf

📘 International Principles on the Application of Human Rights to Communications Surveillance

MULTI-STAKEHOLDER   PRINCIPLES

The International Principles on the Application of Human Rights to Communications Surveillance were published in May 2014. The 13 Principles are the outcome of a global consultation with civil society groups, industry, and international experts in communications surveillance law, policy, and technology led by Privacy International, Access, and the Electronic Frontier Foundation. They assert that mass surveillance is a violation of international human rights law. The objective for developing these Principles was to provide civil society groups, industry, governments, and others with a framework to evaluate whether current or proposed surveillance laws and practices are consistent with human rights.

https://en.necessaryandproportionate.org/text

OECD: Guidelines on the Protection of Privacy and Transborder Data Flows of Personal Data

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The Guidelines on the Protection of Privacy and Transborder Data Flows of Personal Data were developed by OECD Member countries and adopted in 1980. The Guidelines apply to all personal data. While they are not legally binding, they have long been recognised as a statement of norms that should govern personal data privacy and guide OECD members and private organisations in crafting their policies. The Guidelines stipulate that the following principles should be adhered to when collecting and processing personal information and data:

- **Collection limitation**: there should be limits to the collection of personal data, and data, which should be obtained by lawful and fair means and, where appropriate, with the knowledge or consent of the individual.

- **Data quality**: personal data should be relevant to the purposes for which they are used, and should be accurate, complete and kept up-to-date.

- **Purpose specification**: the purposes for which personal data are collected should be specified and any subsequent use must be limited to that specification.

- **Use limitation**: data should not be disclosed, made available or otherwise used for purposes other than those specified except a) with the consent of the individual or b) by the authority of law.

- **Security safeguards**: data should be protected by reasonable security safeguards to protect against lost, destruction, use, modification or disclosure.

- **Openness**: there should be a general policy about openness with respect to personal data.

- **Individual participation**: an individual should have the right to find out information about their data and to have incorrect data erased or rectified.

- **Accountability**: a data controller is accountable for complying with these measures.

http://www.oecd.org/internet/ieconomy/oecdguidelinesontheprotectionofprivacyandtransborderflowsofpersonaldata.htm

Open Data Institute: Open Data Certificates

CIVIL SOCIETY   DATA STANDARD

The Open Data Certificates have been created by the Open Data Institute in response to business, government, and citizen needs to bring rigour to the publication, dissemination and usage of open data. An open data certificate tells data users what the data is about and how to get hold of it. It shares information like availability, privacy, and licensing so they can decide how much to rely on it. The certificate is made up of two components, a visual mark that shows the quality level of the data, and a human and machine-readable description of the data being released.

https://certificates.theodi.org/about

Privacy by Design: 7 Foundational Principles

EXPERT / OTHER   PRINCIPLES

The 7 Foundational Principles, developed by Privacy by Design, aim to ensure privacy and personal control over one's information. The Principles advocate for 1) being proactive not reactive; 2) having privacy as the default setting; 3) having privacy embedded into design; 4) avoiding the pretence of false dichotomies, such as privacy vs. security; 5) providing full life-cycle management of data; 6) ensuring visibility and transparency of data; and 7) being user-centric. These Principles have been translated into 37 different languages.

http://www.privacybydesign.ca/index.php/about-pbd/7-foundational-principles/

UN High Commissioner for Human Rights: The Right to Privacy in the Digital Age

INTER-GOVERNMENT   GENERAL REFERENCE

This report was submitted by the United Nations High Commissioner for Human Rights to the UN General Assembly in 2014 following concerns of Member States and other stakeholders about negative impact of surveillance practices on human rights. This report deals with the protection and promotion of the right to privacy in the context of domestic and extraterritorial surveillance, the interception of digital communications and the collection of personal data.

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A.HRC.27.37_en.pdf

United Nations: Guidelines for the regulation of computerized personal data files

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The Guidelines for the regulation of computerized personal data files were adopted by the United Nations General Assembly in 1990.The Guidelines contain a number of principles concerning the minimum guarantees that should be provided in national legislation such as, the principle of lawfulness and fairness, and the principle of accuracy.

http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=3ddcafaac

United Nations: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

INTER-GOVERNMENT   GENERAL REFERENCE

This Report of the Special Rapporteur, Frank La Rue, from 2013 analyses the implications of States' surveillance of communications on the exercise of the human rights to privacy and to freedom of opinion and expression. While considering the impact of significant technological advances in communications, the report underlines the urgent need to further study new modalities of surveillance and to revise national laws regulating these practices in line with human rights standards.

http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/133/03/PDF/G1313303.pdf?OpenElement

Public contracting

OECD Methodology for Assessing Procurement Systems (MAPS)

INTER-GOVERNMENT   DETAILED GUIDANCE

The OECD Methodology for Assessing Procurement Systems from 2009 provides a common tool which developing countries and donors can use to assess the quality and effectiveness of procurement systems.

http://www.oecd.org/dac/effectiveness/45454394.pdf

OECD Principles for Integrity in Public Procurement

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The OECD Principles for Integrity in Public Procurement from 2009 reflect a global view of policies and practices that have proved effective for enhancing integrity in procurement. The document provides guidance for the implementation of various international legal instruments. It also includes a Checklist for implementing the integrity framework throughout the public procurement cycle, and a map of risks that can help auditors prevent, as well as detect, fraud and corruption.

http://www.oecd.org/gov/ethics/48994520.pdf

Open Contracting Assessment Methodology

INTER-GOVERNMENT   DETAILED GUIDANCE

The Open Contracting Assessment Methodology was first developed as a collaboration between the World Bank Governance Global Practice and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). The Open Contracting Partnership has added a more in-depth technical component. The methodology describes how to assess existing systems against the principles and standards of open contracting to determine baselines and to generate recommendations for

action planning. To date, versions of this assessment have been applied in South Africa, Vietnam, Indonesia, Moldova, and Mexico.

https://docs.google.com/document/d/1NssJGgGYGFE9NL622EuwtrnB6797IOshmoXPSMdcGgU/edit

📖 Open Contracting Data Standard

`MULTI-STAKEHOLDER` `DATA STANDARD`

The Open Contracting Data Standard (OCDS) is an open data schema to publish machine-readable data and documents related to planning, procurement (tender & award), and implementation of public contracts. The standard is a based on analysis of user needs and best practices. It is a tool to guide publishers to producing data that is useful for value for money analysis, fraud detection, enhancing competition, and performance monitoring.

It is not a new database or procurement management system, instead it focuses on enabling systems to export interoperable, open data in real time through a tool called an application program interface (API). This API can be configured to enable other computers to access the data in OCDS format. Open contracting data can then be visualized and presented for download & API for public analysis through a public website. The OCDS has been designed first for public procurement; however an extension of the standard for contracting in extractive industries is underway.

http://standard.open-contracting.org/

📖 Open Contracting Data Standard Implementation Guideline

`MULTI-STAKEHOLDER` `DETAILED GUIDANCE`

The Open Contracting Partnership has created a set of guidelines on how to implement the Open Contracting Data Standard. The Implementation Guideline include detailed guidance on how to improve content and technical openness of contracting data, and guidance on how to increase the usability of data for users.

http://ocds.open-contracting.org/standard/r/1__0__0/en/implementation/registration/

📖 Open Contracting Global Principles

`MULTI-STAKEHOLDER` `PRINCIPLES`

The Principles reflect norms and best practices from around the world related to disclosure and participation in public contracting. The Principles are intended to guide governments and other stakeholders to affirmatively disclose documents and information related to public contracting in a manner that enables meaningful understanding, effective monitoring, efficient performance, and accountability for outcomes.

http://www.open-contracting.org/global_principles

📘 Open Contracting Guide for Practitioners

`EXPERT / OTHER` `DETAILED GUIDANCE` `COMMUNITY OF PRACTICE`

The World Bank Institute hosted a Book Sprint in June 2013 that brought together 17 experts from around the world to co-create an open contracting guide for practitioners by practitioners. The process allowed experts and practitioners from countries ranging from Brazil to Afghanistan to come together and produce a guide for all of those seeking to advance open contracting. The book, which features the collective inputs from a diverse set of experts, highlights the benefits of enhanced disclosure and participation around contracting processes. It also aims to guide and inspire others in their own open contracting activities, and to support the emerging global community of practitioners around open contracting. The book contains four sections: Introduction and Framing, How to Do It, Reflections, Risks, Sustainability and Lessons" and a conclusion that includes a glossary of terms and a list of resources. The resource is also available in Spanish, French and Mongolian.

http://www.open-contracting.org/open_contracting_guide

📘 Open Contracting: A New Frontier for Transparency and Accountability

`EXPERT / OTHER` `GENERAL REFERENCE`

This report produced by the World Bank Institute, on behalf of the Open Contracting Partnership provides an overview of emerging practices and methodologies of disclosure and participation in public contracting . It outlines the practical actions that are already being taken by governments, civil society, private sector, and donors to support open contracting with reference to concrete examples from around the world as well as the rationales behind them.

http://pro-act.org/profiles/blogs/research-highlights-open-contracting-practices-from-around-the-wo

📘 Open Data Guidelines for Procurement

`EXPERT / OTHER` `DETAILED GUIDANCE`

The Sunlight Foundation has created a set of guidelines to help shape how governments release data on their procurement process. The guidelines focus on how to make the procurement process more transparent, and what is required to allow for distributed oversight, fair competition, and an accessible market in government procurement.

http://sunlightfoundation.com/procurement/opendataguidelines

📘 UNCITRAL Model Law on Public Procurement

`INTER-GOVERNMENT` `PRINCIPLES`

The Model Law on Public Procurement contains procedures and principles aimed at achieving value for money and avoiding abuses in the procurement process. The text promotes objectivity, fairness, participation and competition and integrity towards these goals. Transparency is also a key principle, allowing visible compliance with the procedures and

principles to be confirmed.

http://www.uncitral.org/uncitral/en/uncitral_texts/procurement_infrastructure/2011Model.html

Public services

Civicus – Monitoring and Evaluating Public Services

CIVIL SOCIETY   DETAILED GUIDANCE   COMMUNITY OF PRACTICE

PG Exchange is an initiative of CIVICUS: World Alliance for Citizen Participation. The website is a part of CIVICUS' work on increasing the influence of citizens and civil society organisations in governance processes. The Participatory Governance Project of CIVICUS works to enhance the capacity of targeted southern-based civil society and government actors to promote participatory and accountable governance of public institutions at local and national levels.

The section on monitoring and evaluation public services includes details of stakeholder surveys, citizen report cards, community score cards, community monitoring and evaluation and social audits.

http://www.pgexchange.org/index.php?option=com_content&view=category&id=59&Itemid=135

OECD: Focus on Citizens – Public Engagement for Better Policy and services

INTER-GOVERNMENT   PRINCIPLES   GENERAL REFERENCE

This book published in 2009 is based on a survey of governments in 25 countries, 14 in-depth country case studies and 18 opinion pieces from leading civil society and government practitioners. It looks at how OECD governments putting the principles of open and inclusive policy making into practice and how they can they ensure broader, more inclusive, participation. It includes includes 10 guiding principles to support open and inclusive policy making and service delivery in practice.

The OECD report presents ten Guiding Principles that were designed to help governments strengthen open and inclusive policy making as a means to improving their policy performance and service delivery:

1. Commitment

2. Rights

3. Clarity

4. Time

5. Inclusion

6. Resources

7. Co-ordination

8. Accountability

9. Evaluation

10. Active citizenship

http://www.oecd.org/governance/regulatory-policy/focusoncitizenspublicengagementforbetterpolicyandservices.htm

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📖 OECD: Together for Better Public Services – Partnering with citizens and civil society:

EXPERT / OTHER   GENERAL REFERENCE

This report analyses the partnerships that governments form with citizens, users and CSOs in order to innovate and deliver improved public service outcomes. It identifies the risks of citizen and user involvement in service delivery, and the barriers that must be overcome to make these models work. It highlights top-level political commitment, adequate public sector capacity, and aligned financial incentives as the key factors for success.

http://browse.oecdbookshop.org/oecd/pdfs/product/4211131e.pdf

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📖 The World Bank: Citizens and service delivery

INTER-GOVERNMENT   GENERAL REFERENCE

This World Bank Book reviews how citizens can influence service delivery through access to information and opportunities to use it to hold providers accountable. It focuses on social accountability measures that support the use of information to increase transparency and service delivery and grievance redress mechanisms to help citizens use information to improve accountability. The report takes stock of what from experience to date and highlights that the relationships between citizens, policy-makers, program managers, and service providers are complicated, not always direct or easily altered through a single intervention, such as an information campaign or scorecard exercise.

http://elibrary.worldbank.org/content/book/9780821389805

Records management

📖 Access to Information Legislation Implementation Assessment Tool (IAT)

EXPERT / OTHER   DETAILED GUIDANCE

Of the over 100 countries that currently enjoy a statutory right to information, many are failing to fully and effectively implement their law. The Carter Center has developed the IAT to help countries diagnose the extent to which the public administration has the capacity to respond to information requests. The IAT focuses on four key areas for full and effective administration, one of which is records management.

http://www.cartercenter.org/peace/ati/IAT/index.html

📘 Archival Legislation for Commonwealth Countries

`EXPERT / OTHER` `PRINCIPLES`

In 2000 the Association of Commonwealth Archivists and Records Managers developed a report aimed at providing commonwealth countries with an overview of modern good practice archival legislation principles upon which they could draw when modernising records and archives legislation or introducing freedom of information and privacy legislation.

http://www.acarm.org/oid%5Cdownloads%5C4%5C1_1_3_41_05_PM_Legislation%20Report.pdf

📘 Archives New Zealand Technical Guide: Implementing Recordkeeping Metadata in EDRMS: Tailoring the Technical Specifications for the Electronic Recordkeeping Metadata Standard

`EXPERT / OTHER` `DETAILED GUIDANCE`

This Technical Guide contains a large amount of information including definitions and metadata concepts, practical implementation advice and metadata schemas. The Guide is aimed at records managers, system integrators and those involved in configuring or implementing new EDRMS into organisations.

http://www.archives.govt.nz/advice/continuum-resource-kit/continuum-publications-html/g14-technical-guide-implementing-recordkee

📘 Digital Repository Audit Method Based On Risk Assessment (DRAMBORA)

`EXPERT / OTHER` `DETAILED GUIDANCE`

The Digital Curation Centre and Digital Preservation Europe have developed the Digital Repository Audit Method Based On Risk Assessment (DRAMBORA) toolkit. This toolkit is intended to facilitate internal audit by providing repository administrators with a means to assess their capabilities, identify their weaknesses, and recognise their strengths.

http://www.repositoryaudit.eu/

📘 E-ARK

`INTER-GOVERNMENT` `DETAILED GUIDANCE` `GENERAL REFERENCE`

The European Archival Records and Knowledge Preservation Project is creating a pan-European methodology for electronic document archiving, synthesising existing national and international best practices, that will keep records and databases authentic and usable over time.

http://www.eark-project.com/

📘 Freedom of Information Training Manual for Public Officials, ARTICLE 19

EXPERT / OTHER   DETAILED GUIDANCE   GENERAL REFERENCE

ARTICLE 19's Freedom of Information Training Manual for Public Officials was designed as a resource for officials who want to adopt administrative practices that conform to the best standards of freedom of information.

https://www.ip-rs.si/fileadmin/user_upload/Pdf/Publikacije_ostalih_pooblascencev/Article_19__foitrainersmanual.pdf

📖 Integrating Records Management in ICT Systems

EXPERT / OTHER   DETAILED GUIDANCE

This tool, produced by the International Records Management Trust, is designed to help governments determine whether or not records management requirements have been integrated in ICT systems. It identifies good practices and measures if good practices have been achieved, from the planning and design stage through to implementation.

http://www.irmt.org/documents/educ_training/term resources/IRMT_Good_Practice_Indicators.pdf

📖 ISO 23081: Information and Documentation – Records Management Processes – Metadata for Records

EXPERT / OTHER   PRINCIPLES   DETAILED GUIDANCE

Part 1: *Principles*

ISO 23081 sets a framework for creating, managing and using records management metadata and explains the principles that govern them. It is a guide to understanding, implementing, and using metadata within the framework of ISO 15489. It addresses the relevance of records management metadata in business processes and the different roles and types of metadata that support business and records management processes. It also sets a framework for managing those metadata. It assesses the main existing metadata sets in line with the requirements of ISO 15489.

Part 2: *Conceptual and Implementation issues*

This part of ISO 23081 focuses on the framework for defining metadata elements for managing records and provides a generic statement of metadata elements, whether these are physical, analogue, or digital, consistent with the principles of ISO 23081-1.

http://www.iso.org/iso/iso_catalogue/catalogue_tc/catalogue_detail.htm?csnumber=50863;
http://www.iso.org/iso/home/store/catalogue_tc/catalogue_detail.htm?csnumber=40832

📖 Model Records and Archives Law

CIVIL SOCIETY   DETAILED GUIDANCE

The International Records Management Trust developed a Model Records and Archives Law 1999 to facilitate the integration of the records management continuum from the point of creation to disposition. The Model emphasised the

need to integrate records and archives management, which remains essential; the need now is also for a broader level of integration to address the impact of the global shift toward digital governance and global objectives for openness. Nevertheless, the model law still provides a valuable starting point for building a strong control regime (see, in particular, item 21).

http://www.irmt.org/education-and-training/education-and-training-2

📘 Nestor- Catalogue of Criteria for Trusted Digital Repository

`EXPERT / OTHER` `DETAILED GUIDANCE`

This report from 2006 focuses on trustworthiness in records management. It particularly identifies criteria aiming to facilitate the evaluation of digital repository trustworthiness, both at organisational and technical levels.

http://files.d-nb.de/nestor/materialien/nestor_mat_08-eng.pdf

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📘 Open Archival Information System (OAIS) (ISO 14721)

`EXPERT / OTHER` `PRINCIPLES` `DATA STANDARD`

ISO 14721:2012, published by the International Organization of Standardization, defines the reference model for an open archival information system (OAIS).

http://www.iso.org/iso/home/store/catalogue_tc/catalogue_detail.htm?csnumber=57284

📘 Principles and functional requirements for records in electronic office environments (ISO 16175)

`EXPERT / OTHER` `DETAILED GUIDANCE` `DATA STANDARD`

This document, published in 2011 by the International Organization for Standardization, articulates a set of functional requirement for digital records management systems.

http://www.iso.org/iso/catalogue_detail.htm?csnumber=55791

📘 Records Management and Information Management Standards

`EXPERT / OTHER` `PRINCIPLES` `DETAILED GUIDANCE` `GENERAL REFERENCE`

Generally Accepted Record-Keeping Principles

The Principles provide a high level overview of the principles of information governance. Developed by ARMA International to foster awareness of information governance standards and principles and to assist organizations in developing information management systems with which records and information assets are expected to comply. The Principles set

forth the characteristics of an effective information governance program but allow flexibility based upon the unique circumstances of an organization's size, sophistication, legal environment, and resources.

Principle of Accountability

A senior executive (or a person of comparable authority) shall oversee the information governance program and delegate responsibility for records and information management to appropriate individuals. The organization adopts policies and procedures to guide personnel and ensure that the program can be audited.

Principle of Integrity

An information governance program shall be constructed so the information generated by or managed for the organization has a reasonable and suitable guarantee of authenticity and reliability.

Principle of Protection

An information governance program shall be constructed to ensure a reasonable level of protection for records and information that are private, confidential, privileged, secret, classified, or essential to business continuity or that otherwise require protection.

Principle of Compliance

An information governance program should be constructed to comply with applicable laws and other binding authorities, as well as with the organization's policies.

Principle of Availability

An organization shall maintain records and information in a manner that ensures timely, efficient, and accurate retrieval of needed information.

Principle of Retention

An organization shall maintain its records and information for an appropriate time, taking into account its legal, regulatory, fiscal, operational, and historical requirements.

Principle of Disposition

An organization shall provide secure and appropriate disposition for records and information that are no longer required to be maintained by applicable laws and the organization's policies.

Principle of Transparency

An organization's business processes and activities, including its information governance program, shall be documented in an open and verifiable manner, and that documentation shall be available to all personnel and appropriate interested parties.

NOARK 4: Norwegian Recordkeeping System – Version 4

Noark-4 is a specification of functional requirements for electronic recordkeeping systems used in public administration in Norway. The specification lists requirements with regard to information content (what kind of information it should be possible to register and retrieve), data structure (design of each data element and the relationship between these

elements), and functionality (the functions which the systems are to maintain). In some cases there are requirements with regard to the user interface (how the systems communicate with the users), but this is mainly left to the individual system developers or vendors to decide. The specification does not contain requirements with regard to the how the data structure is to be implemented, or with regard to system design. This is left to the system developers.

NOARK 5: Standard for Records Management

Noark 5 sets out requirements concerning record structure, metadata and functionality, but does not contain any requirements concerning how these requirements should actually be met in system development. Noark 5 therefore does not define a system, but facilitates different solutions. The requirements are stricter for depositing, transfer and migration. Obligatory metadata must be included in the export, and the export must have a defined structure. The standard does not contain a description of procedures or the way in which different requirements can be met.

ISO 14721:2012: Space data and Information Transfer Systems – Open archival information system (OAIS) – Reference Model

The standard establishes a common framework of terms and concepts that make up an Open Archival Information System (OAIS). It allows existing and future archives to meaningfully compared and contrasted. It provides a basis for further standardization within an archival context and it should promote greater vendor awareness of, and support of, archival requirements. An OAIS is an archive that has accepted the responsibility to preserve information and make it available for a designated community. The information being maintained has been deemed to need long-term preservation, even if the OAIS itself is not permanent. Long term is long enough to be concerned with the impacts of changing technologies, including support for new media and data formats, or with a changing user community. Long Term may extend indefinitely. In this reference model there is a particular focus on digital information, both as the primary forms of information held and as supporting information for both digitally and physically archived materials.

ISO 15489:2001: Records Management

ISO 15489 is the foundation standard which codifies good practice for records management operations.

ISO 15489 Part 1: *General* gives a high level framework for record-keeping and explains the benefits of good records management, the legal considerations and the importance of making someone responsible for recordkeeping. This part also looks at what's needed for good records management, designing recordkeeping systems, records management processes, auditing and training.

ISO 15489 Part 2: *Guidelines* is a guide to putting the advice given in Part 1 into practice. It provides specific detail on developing records management policy and responsibility statements and suggests a process for developing recordkeeping systems. It also provides advice about developing records processes and controls. It also gives specific advice about setting up monitoring, auditing, and training programmes.

ISO 16175-1:2010: Information and documentation – Principles and Functional Requirements for Records in Electronic Office Environments – Part 1: Overview and statement of principles

ISO 16175-1 establishes fundamental principles and functional requirements for software used to create and manage digital records in office environments. It is intended to be used in conjunction with ISO 16175-2 and ISO 16175-3. ISO 16175-1 establishes the principles of good practice, guiding principles, implementation guidelines, and it lists risks and mitigations for the purposes including: enabling better management of records in organisations, supporting the business needs of an organisation by enabling greater effectiveness and efficiency of the operations; providing enhanced abilities to support auditing activities; improving capabilities to comply with statutory mandates specified in various information-related legislation (for example, data protection and privacy); supporting good governance (for example, accountability, transparency and enhanced service delivery) through good management of records; and maximizing cross-jurisdictional

consistency regarding the articulation of functional requirements for managing records.

ISO 16175-2:2011: Information and Documentation – Principles and Functional Requirements for Records in Electronic Office Environments – <u>Part 2: Guidelines and Functional Requirements for Digital Records Management Systems</u>

ISO 16175-2:2011 articulates a set of functional requirements for digital records management systems. These requirements apply to records irrespective of the media in which they were created and/or stored. It is applicable to products that are often termed 'electronic records management systems' or 'enterprise content management systems'. ISO 16175-2:2011 uses the term digital records management systems for those software applications whose primary function is records management. It does not seek to set requirements for records still in use and held within business systems. Digital objects created by email, word processing, spreadsheet and imaging applications (such as text documents, and still or moving images), where they are identified to be of business value, are managed within digital records management systems which meet the functional requirements established in ISO 16175-2:2011.

Records managed by a digital records management system can be stored on a variety of different media formats, and can be managed in hybrid record aggregations that include both digital and non-digital elements. ISO 16175-2:2011 does not give specifications for the long-term preservation of digital records; this issue needs to be addressed separately within a dedicated framework for digital preservation or 'digital archiving' at the strategic level. These digital preservation considerations transcend the life of systems and are system independent; they need to be assessed in a specific migration and conversion plan at the tactical level. However, recognition of the need to maintain records for as long as they are required is addressed in ISO 16175-2:2011, and potential format obsolescence issues need to be considered when applying the functional requirements.

ISO 16175-3:2010: Information and Documentation – Principles and Functional Requirements for Records in Electronic Office Environments – <u>Part 3: Guidelines and Functional Requirements for Records in Business Systems</u>

ISO 16175-3:2010 specifies general requirements and guidelines for records management and gives guidelines for the appropriate identification and management of evidence (records) of business activities transacted through business systems. It provides guidelines to assist in: understanding processes and requirements for identifying and managing records in business systems; develop requirements for functionality for records to be included in a design specification when building, upgrading or purchasing business system software; evaluating the records management capability of proposed customized or commercial off-the-shelf business system software; and reviewing the functionality for records or assess compliance of existing business systems.

ISO 16175-3:2010 specifies requirements for export supports preservation by allowing the export of records to a system that is capable of long-term preservation activities, or for the ongoing migration of records into new systems. It does not specify requirements for the long-term preservation of digital records, and it is not applicable to records management in highly integrated software environments based on service-oriented architectures.

ISO 16363:2012: <u>Space Data and Information Transfer Systems – Audit and Certification of Trustworthy Digital Repositories</u>

This standard is for use as the basis for providing audit and certification of the trustworthiness of digital repositories. It provides a detailed specification of criteria by which digital repositories shall be audited. This document is meant primarily for those responsible for auditing digital repositories and also for those who work in or are responsible for digital repositories seeking objective measurement of the trustworthiness of their repository. Some institutions may also choose to use these metrics during a design or redesign process for their digital repository.

ISO 23081: <u>Information and Documentation – Records Management Processes – Metadata for Records</u>

Part 1: *Principles*

ISO 23081 sets a framework for creating, managing and using records management metadata and explains the principles that govern them. It is a guide to understanding, implementing, and using metadata within the framework of ISO 15489. It addresses the relevance of records management metadata in business processes and the different roles and types of metadata that support business and records management processes. It also sets a framework for managing those metadata. It assesses the main existing metadata sets in line with the requirements of ISO 15489.

Part 2: *Conceptual and Implementation issues*

This part of ISO 23081 focuses on the framework for defining metadata elements for managing records and provides a generic statement of metadata elements, whether these are physical, analogue, or digital, consistent with the principles of ISO 23081-1.

ISO 26122:2008: Information and Documentation – Work Process Analysis for Records

This standard provides guidance on work process analysis from the perspective of the creation, capture and control of records. It identifies two types of analyses, namely functional analysis (decomposition of functions into processes), and sequential analysis (investigation of the flow of transactions). Each analysis entails a preliminary review of context (ie mandate and regulatory environment) appropriate for the analysis. The components of the analysis can be undertaken in various combinations and in a different order from that described here, depending on the nature of the task, the scale of the project, and the purpose of the analysis. Guidance provided in the form of lists of questions/matters to be considered under each element of the analysis is also included.

The standard describes a practical application of the theory outlined in ISO 15489. As such, it is independent of technology (ie can be applied regardless of the technological environment), although it can be used to assess the adequacy of technical tools that support an organization's work processes.

ISO/IEC 27001:2013: Information Technology – Security techniques – Information Security Management Systems – Requirements

This standard specifies the requirements for establishing, implementing, maintaining, and continually improving an information security management system within the context of the organization. This standard also includes requirements for the assessment and treatment of information security risks tailored to the needs of the organization.

The standard covers information security leadership and high-level support for policy, planning an information security management system; risk assessment; risk treatment, supporting an information security management system, making an information security management system operational, reviewing the system's performance, and corrective action.

ISO 30300:2011: Information and Documentation – Management Systems for Records – Fundamentals and Vocabulary

This standard defines terms and definitions applicable to the standards on management systems for records (MSR) prepared by ISO/TC 46/SC 11. It also establishes the objectives for using a MSR, provides principles for a MSR, describes a process approach and specifies roles for top management. It is applicable to any type of organization that wishes to establish, implement, maintain and improve a MSR to support its business; assure itself of conformity with its stated records policy; and demonstrate conformity with this standard by undertaking a self-assessment and self-declaration. It also supports organizations seeking confirmation of its self-declaration by a party external to the organization, or seeking certification of its MSR by an external party.

ISO 31000: 2012: Risk Management – Principles and Guidelines

The standard provides principles, a framework, and a process for managing risk. It can be used by any organization regardless of its size, activity or sector. Using ISO 31000 can help organizations increase the likelihood of achieving

objectives, improve the identification of opportunities and threats and effectively allocate and use resources for risk treatment. ⯀However, ISO 31000 cannot be used for certification purposes, but does provide guidance for internal or external audit programmes. Organizations using it can compare their risk management practices with an internationally recognised benchmark, providing sound principles for effective management and corporate governance.

MoReq 2010®

This specification of modular requirements for electronic/ digital records systems that is widely used in Europe and also in other countries. First published in 2008 by the DLM Forum, a European wide organization of national archives, enterprises and research organizations with an interest in electronic records management, it is intended for users and suppliers of electronic records management systems and services, and for educators. It can also be used to provide a basis for auditing existing electronic records management systems or services, and as a resource for academic or commercial trainers. The latest edition of the MoReq® specification is MoReq2010®. The Website, www.moreq2.eu/home, has a wide range of resources related to MoReq2010.

Data Management Standards

Data Quality Assessment Framework (DQAF)

The International Monetary DQAF[1] provides a structure for assessing countries' data quality against a structure of internationally accepted practices and methodologies. It covers institutional environments, statistical processes, and characteristics of the statistical products. It is organized around a set of prerequisites and five dimensions of data quality: integrity, methodological soundness, accuracy and reliability, serviceability, and accessibility. It identifies quality-related features of governance of statistical systems, statistical processes, and statistical products. It is rooted in the UN Fundamental Principles of Official Statistics and incorporated good practices developed by the IMF's initiatives on data dissemination: the Special Data Dissemination Standard (SDDS) and the General Data Dissemination System (GDDS).

Data Documentation Initiative (DDI)

The DDI[2] is a quality assessment framework developed as an international standard for describing data from the social, behavioral, and economic sciences.   It aims to address obstacles to creating good structured It provides a metadata specification expressed in XML. The DDI project, which started in 1995, has steadily gained momentum and evolved to meet the needs of the social science research community including universities, data archives, research centers and institutes, and data services. The metadata specification now supports the documentation and integration of entire research data lifecycle. DDI metadata accompanies and enables data conceptualization, collection, processing, distribution, discovery, analysis, repurposing, and archiving in relation to the organizational needs of the creators and the data being described.

[1] http://dsbb.imf.org/Pages/DQRS/DQAF.aspx

[2] http://www.ddialliance.org/

http://

🔖 Space Data and Information Transfer Systems- Audit and Certification of Trustworthy Digital Repositories

(ISO 16363)

EXPERT / OTHER DETAILED GUIDANCE

ISO 16363:2012 defines a recommended practice for assessing the trustworthiness of digital repositories. It is applicable to the entire range of digital repositories and can be used as a basis for certification.

http://www.iso.org/iso/catalogue_detail.htm?csnumber=56510

📘 The Digital Curation Centre

EXPERT / OTHER GENERAL REFERENCE

The Digital Curation Centre (http://www.dcc.ac.uk) provides resources for data management, including on how to develop and implement Data Management and Sharing Plans.

http://www.dcc.ac.uk/resources/data-management-plans

📘 Training material

EXPERT / OTHER DETAILED GUIDANCE

1. International Records Management Trust offers three sets of training materials, all of which can be downloaded free of charge: www.irmt.org/education-and-training/education-and-training-2

- Training in Electronic Records Management (2009): The TERM Programme covers the key concepts involved in managing electronic records. It comprises five hundred pages of training material, including five training modules, a volume of Additional Resources for Electronic Records Management, a Glossary and a set of Good Practice Indicators for Integrating Records Management in ICT Systems. There also are six case studies.

- Management of Public Sector Records Study Programme (1999): The MPSR Programme covers all phases of the records lifecycle, or continuum of records management, as well as the application of these principles and practices to financial, human resource and hospital and court records. The programme comprises about 4000 pages of training material, including 18 teaching/study training modules, case studies, good practice manuals and associated educational materials.

- There is a Spanish Adaptation of the Study Programme (2003, 2004). The University of Montevideo in Uruguay has drawn on the MPSR study programme to produced two volumes of material in Spanish.

2. Topics in Digital Preservation Educational Resources in Digital Preservation for Records Professionals (2012): http://www.ciscra.org/docs/Education_Modules_Digital_Records_Pathways.zip or www.ica-sae.org/

This material is an educational initiative developed jointly by the International Council on Archives (ICA) Section for Archival Education (SAE) and the InterPARES project. It contributes to the education and training of archivists and records professionals responsible for carrying out the preservation of authentic, reliable and usable digital records. The material is based on the research findings of the International Research on Permanent Authentic Records in Electronic Records

Systems (InterPARES), which is based at the University of British Colombia in Canada.

http://www.irmt.org/education-and-training/education-and-training-2;
http://www.ciscra.org/docs/Education_Modules_Digital_Records_Pathways.zip or www.ica-sae.org/

📘 Trusted Digital Repository: Attributes and Responsibilities

`EXPERT / OTHER`   `DETAILED GUIDANCE`

This report from 2002 provides a framework of attributes and responsibilities for trusted, reliable, sustainable digital repositories capable of handling the range of materials held by large and small research institutions.

http://www.oclc.org/content/dam/research/activities/trustedrep/repositories.pdf?urlm=161690

📘 Trustworthy Repository Audit & Certification: Criteria and Checklist

`EXPERT / OTHER`   `DETAILED GUIDANCE`

The "Trustworthy Repository Audit & Certification: Criteria and Checklist", published in 2007 by the Center for Research Libraries and the Online Computer Library Center, provides a set of criteria and a checklist to facilitate the certification of digital repositories.

http://www.crl.edu/sites/default/files/attachments/pages/trac_0.pdf

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📘 UK Data Archive directory to sources on the management of valuable datasets

`EXPERT / OTHER`   `DATA STANDARD`   `GENERAL REFERENCE`

The United Kingdom Data Archive has produced a directory with links to sources on the management of valuable datasets

http://data-archive.ac.uk/create-manage/document/resources

Right to information

📘 African Commission on Human and Peoples' Rights: Declaration of Principles on Freedom of Expression in Africa

`INTER-GOVERNMENT`   `PRINCIPLES`

The Declaration of Principles on Freedom of Expression in Africa was signed in Banjul, the Gambia, in October 2002. The Declaration states that freedom of expression and information is a fundamental and inalienable human right. With regard to secrecy laws, it further states that secrecy laws shall be amended as necessary to comply with freedom of information

principles.

http://www1.umn.edu/humanrts/achpr/expressionfreedomdec.html

African Commission on Human and Peoples' Rights: The Model Law on Access to Information for Africa

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

This Model Law on access to information for Africa from 2012 is a non-binding document crafted specifically as a tool to guide law makers in African countries in translating obligations found in international treaties into detailed national legislation.

The Model Law aims to guide the development of new access to information legislation and the review of existing legislation. Its purpose is also to be an advocacy tool to encourage the adoption of access to information laws, to provide a compilation of best practices, and to help reinforce a common approach and harmonisation of access to information laws.

http://www.achpr.org/files/news/2013/04/d84/model_law.pdf

ARTICLE 19 Principles

MULTI-STAKEHOLDER   PRINCIPLES

ARTICLE 19 has published a set of international principles on freedom of information legislation: 'The Public's Right to Know – Principles on Freedom of Information Legislation'. These principles set out ways in which governments can achieve maximum openness, in line with the best international standards and practice. They are designed primarily for national legislation on freedom of information or access to official information but are equally applicable to information held by inter-governmental bodies such as the United Nations and the European Union.

http://www.article19.org/data/files/pdfs/standards/righttoknow.pdf

ARTICLE 19 Training course for public officials

MULTI-STAKEHOLDER   DETAILED GUIDANCE

ARTICLE 19 has published a Training Manual for Public Officials. The Manual is designed as a resource for officials who want to adopt administrative practices that conform to the best standards of freedom of information.

https://www.ip-rs.si/fileadmin/user_upload/Pdf/Publikacije_ostalih_pooblascencev/Article_19__foitrainersmanual.pdf

Carter Center: The Access to Information legislation Implementation Assessment Tool

EXPERT / OTHER   DETAILED GUIDANCE

The access to information legislation Implementation Assessment Tool, developed by the Carter Center, serves the dual purpose of diagnosing the extent to which the public administration has the capacity to respond to requests and to

provide information, as well as providing an implementation roadmap for the government. The Assessment Tool is constructed to serve as an input for each public agency in which it is applied, and not as a comparative index across countries. The objectives of the Assessment Tool are to:

- Establish a comprehensive set of access to information implementation benchmarks;

- Identify the extent to which a ministry/agency has implemented its law;

- Provide a roadmap for improvements; and

- Contribute to scholarship on implementation and to the understanding of implementation successes and challenges.

http://www.cartercenter.org/peace/americas/access_to_information/IAT/index.html

OGP Eligibility Criteria: Access to Information

`OGP ELIGIBILITY CRITERIA` `RATING`

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government in four key areas, as measured by objective indicators and validated by independent experts. Any government that achieves a score of at least 75% of the total possible points available to them can join OGP at any time once they have demonstrated that they meet these minimum criteria.

Having an access to information law is one of the four eligablity criteria. This is asseseded based nformation taken from an ongoing survey by Right2Info.org that covers 197 countries. Four points are awarded to countries with access to information laws in place, three points if a country has a constitutional provision guaranteeing access to information, and one point if a country has a draft access to information law under consideration. Countries with both a constitutional provision and a draft law under consideration will only be awarded the 3 points for the constitutional provision.

http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria

RTI Rating

`CIVIL SOCIETY` `RATING`

The RTI Rating, published by Access Info and the Centre for Law and Democracy, analyses the quality of the world's right to information laws. It covers 89 countries with RTI laws. The RTI Rating assesses the overall strength of countries' legal framework concerning RTI, and indicates the strengths and weaknesses of the legal framework in seven different categories, namely: Right of Access, Scope, Requesting Procedures, Exceptions and Refusals, Appeals, Sanctions and Protections, and Promotional Measures.

http://www.rti-rating.org/

Special Mandates 2004 Declaration

`INTER-GOVERNMENT` `PRINCIPLES`

A joint declaration concerning access to information and secrecy legislation was adopted in 2004 by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression.

http://www.osce.org/fom/38632

Tshwane Principles on National Security and the Right to Information

CIVIL SOCIETY   PRINCIPLES

The Tshwane Principles on National Security and the Right to Information were issued in June 2013 by 22 organisations and academic centres from around the world. The Principles were developed in order to provide guidance to those engaged in drafting, revising or implementing laws or provisions relating to the state's authority to withhold information on national security grounds or to punish the disclosure of such information. They are based on international and regional law and standards, evolving state practice, the general principles of law recognized by the community of nations, and the writings of experts.

They have been endorsed by The European Parliament, the Parliamentary Assembly of the Council of Europe (PACE), the Special Rapporteurs on Freedom of Expression of the UN, OAS and African Commission on Human and Peoples Rights; the OSCE Representative on Freedom of the Media; and the UN Special Rapporteur on Counter-Terrorism and Human Rights.

http://www.right2info.org/exceptions-to-access/national-security

World Bank's Public Accountability Mechanisms website

INTER-GOVERNMENT   GENERAL REFERENCE

The World Bank's Public Accountability Mechanisms website provides extensive information about various aspects of the right to information, including implementation measures.

http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPUBLICSECTORANDGOVERNANCE/0,,contentMDK:23352107~pagePK:148956~piPK:216618~theSitePK:286305,00.html

Security sector

DCAF: Overseeing Intelligence Services: A Toolkit

CIVIL SOCIETY   DETAILED GUIDANCE

DCAF's toolkit provides detailed guidance on the oversight of specific areas of intelligence services' activities. Its primary focus is on oversight by parliamentary committees and expert non-parliamentary bodies (e.g. supreme audit institutions and data protection commissions) and, to a lesser extent, on oversight by (quasi)judicial bodies.

http://www.dcaf.ch/Publications/Overseeing-Intelligence-Services-A-Toolkit

DCAF: Parliamentary Oversight of the Security Sector

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

This handbook on parliamentary oversight of the security sector was published by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) in 2003. Recognising that the inherent nature and dynamics of the security sector (such as the often very technical issues involved, and secrecy laws in place) represent a real challenge to effective parliamentary oversight, this handbook offers a set of practices and mechanisms to help shape parliament's contribution to security oversight. The handbook has been translated into 37 different languages.

http://www.dcaf.ch/Publications/Parliamentary-Oversight-of-the-Security-Sector

Guidelines for reporting Military Expenditures to the UN Standardized Instrument

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

In accordance with UN Resolution 35/142 B from 1980 on the reduction of military budgets, which introduced the UN system for the standardized reporting of military expenditures, this booklet contains general and specific guidelines for reporting military expenditures.

http://www.un.org/disarmament/convarms/Milex/Publications/

International Principles on the Application of Human Rights to Communications Surveillance

`MULTI-STAKEHOLDER` `PRINCIPLES`

The International Principles on the Application of Human Rights to Communications Surveillance were published in May 2014. The 13 Principles are the outcome of a global consultation with civil society groups, industry, and international experts in communications surveillance law, policy, and technology led by Privacy International, Access, and the Electronic Frontier Foundation. They assert that mass surveillance is a violation of international human rights law. The objective for developing these Principles was to provide civil society groups, industry, governments, and others with a framework to evaluate whether current or proposed surveillance laws and practices are consistent with human rights.

https://en.necessaryandproportionate.org/text

OECD best practice guidelines on budget transparency

INTER-GOVERNMENT   DETAILED GUIDANCE

The OECD Best Practices for Budget Transparency from 2002 are designed as a reference tool for governments to use in order to increase the degree of budget transparency in their respective countries. The Best Practices are based on different OECD Member countries' experiences and are not meant to constitute a formal standard for budget transparency.

http://www.oecd.org/gov/budgeting/best-practices-budget-transparency.htm

Tshwane Principles on National Security and the Right to Information

CIVIL SOCIETY   PRINCIPLES

The Tshwane Principles on National Security and the Right to Information were issued in June 2013 by 22 organisations and academic centres from around the world. The Principles were developed in order to provide guidance to those engaged in drafting, revising or implementing laws or provisions relating to the state's authority to withhold information on national security grounds or to punish the disclosure of such information. They are based on international and regional law and standards, evolving state practice, the general principles of law recognized by the community of nations, and the writings of experts.

They have been endorsed by The European Parliament, the Parliamentary Assembly of the Council of Europe (PACE), the Special Rapporteurs on Freedom of Expression of the UN, OAS and African Commission on Human and Peoples Rights; the OSCE Representative on Freedom of the Media; and the UN Special Rapporteur on Counter-Terrorism and Human Rights.

http://www.right2info.org/exceptions-to-access/national-security

UN and IACHR: Joint Statement on Wikileaks

INTER-GOVERNMENT   GENERAL REFERENCE

This is a joint statement from 2010 by the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression and the Inter-American Commission on Human Rights Special Rapporteur for Freedom of Expression. It recalls the international legal principles of freedom of expression in the context of any action taken against Wikileaks.It also calls for ethical best practice amongst journalists to ensure that the information made available does not cause substantial harm to legally protected interests such as human rights.

http://www.oas.org/en/iachr/expression/showarticle.asp?artID=829&lID=1

UN Convention Against Corruption

INTER-GOVERNMENT   PRINCIPLES

The United Nations Convention against Corruption (UNCAC), adopted in 2003, contains a range of measures for State Parties to the Convention to take in order to prevent and combat corruption. Of particular relevance to transparency in the security sector is Article 32 (Protection of witnesses, experts and victims) and Article 33 (Protection of reporting persons).

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

UN High Commissioner for Human Rights: Study on the Right to Truth

INTER-GOVERNMENT   GENERAL REFERENCE

This study from 2006 builds on statements provided by States and relevant intergovernmental and non-governmental organisations on the right to the truth. The right to the truth implies knowing the full and complete truth as to the events that transpired, their specific circumstances, and who participated in them, including knowing the circumstances in which the violations took place, as well as the reasons for them. The study concludes that the right to the truth about gross human rights violations and serious violations of human rights law is an inalienable and autonomous right, linked to the duty and obligation of the State to protect and guarantee human rights, to conduct effective investigations and to guarantee effective remedy and reparations. This right is closely linked with other rights and has both an individual and a societal dimension and should be considered as a non-derogable right and not be subject to limitations.

http://www.refworld.org/docid/46822b6c2.html

UN Human Rights Council: Good practices on legal and institutional frameworks for intelligence services and their oversight

INTER-GOVERNMENT   DETAILED GUIDANCE

This report from 2010 contains a compilation of good practices on the legal and institutional frameworks of intelligence agencies. It is the outcome of a consultation process where Governments, experts and practitioners in various ways provided their input. The report refers to 35 areas of good practice in terms of intelligence agencies' legal basis, oversight and accountability, substantive human rights compliance, and issues related to specific functions of intelligence agencies.

http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.46.pdf

UN Human Rights Council: Resolution 9/11- Right to the Truth

INTER-GOVERNMENT   PRINCIPLES

This UN resolution from 2008 stresses the importance of the right to the truth. Among other things, it highlights the state's role in providing appropriate and effective mechanisms for relatives of victims to know the truth regarding gross violations of human rights. The resolution urges States to preserve archives and other evidence to facilitate knowledge of such violations, to investigate allegations and to provide victims with access to an effective remedy in accordance with international law.

http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_9_11.pdf

UN, OSCE and OAS: International Mechanisms for Promoting Freedom of Expression

INTER-GOVERNMENT   GENERAL REFERENCE

This is a joint declaration from 2004 by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression. The declaration stresses the fundamental importance of access to information and condemns attempts by some governments to limit access to information either by refusing to adopt access to information laws or by adopting laws which fail to conform to international standards. On the subject of journalist protection, the declaration stresses the need for informational 'safety valves' such as protection of whistleblowers and protection for the media and other actors who disclose information in the public interest.

http://http://www.oas.org/en/iachr/expression/showarticle.asp?artID=319&lID=1

📘 United Nations: Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity

`INTER-GOVERNMENT`   `PRINCIPLES`

The Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity from 2005 deals, among other things, with the right to the truth. Principle 2 states that "every people has the inalienable right to know the truth about past events concerning the perpetration of heinous crimes and about the circumstances and reasons that led, through massive or systematic violations, to the perpetration of those crimes. Full and effective exercise of the right to the truth provides a vital safeguard against the recurrence of violations." In addition, Principle 4 states that "irrespective of any legal proceedings, victims and their families have the imprescriptible right to know the truth about the circumstances in which violations took place and, in the event of death or disappearance, the victims' fate."

http:// http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G05/109/00/PDF/G0510900.pdf?OpenElement

Tax and Illicit flows

📘 Financial Action Task Force (FATF) Recommendations

`INTER-GOVERNMENT`   `PRINCIPLES`

The Financial Action Task Force Recommendations 10 from 2012 states that financial institutions should be prohibited from keeping anonymous accounts or accounts in obviously fictitious names, and that customer due diligence should be undertaken to identify the beneficial owner such that the financial institution is satisfied that it knows who the beneficial owner is.

http://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/FATF_Recommendations.pdf

📘 Financial Stability Board: Global LEI (Legal Entity Identifier) Initiative

`INTER-GOVERNMENT`   `DETAILED GUIDANCE`   `DATA STANDARD`

Regulators and financial firms globally have been exploring ways to overcome the current fragmented system of firm

identifiers and creating a common identifier for financial institutions. Legal Entity Identifier (LEI) aims to help enable organisations to more effectively measure and manage risk, while providing substantial operational efficiencies and customer service improvements to the industry.

http://www.financialstabilityboard.org/list/fsb_publications/tid_156/index.htm

G20 High-Level Principles on Beneficial Ownership Transparency

`INTER-GOVERNMENT` `PRINCIPLES`

The G20 High-Level Principles on Beneficial Ownership Transparency, agreed in November 2014, set out concrete measures G20 countries will take to ensure transparency of legal persons and legal arrangements. The Principles build on existing international instruments and standards and allow for sufficient flexibility to be implementable in different constitutional and legal frameworks. The 10 Principles concern issues, such as having in place definitions of beneficial ownership, doing risk assessments, ensuring relevant authorities have access to information about beneficial ownership, and promoting international collaboration.

https://www.g20.org/sites/default/files/g20_resources/library/g20_high-level_principles_beneficial_ownership_transparency.pdf

G8 Common Principles on Misuse of Companies and Legal Arrangements

`INTER-GOVERNMENT` `PRINCIPLES`

The G8 Common Principles on Misuse of Companies and Legal Arrangement from 2013 are a set of eight core principles to ensure the integrity of beneficial ownership and basic company information, the timely access to such information by law enforcement for investigative purposes, as well as, where appropriate, the legitimate commercial interests of the private sector.

http://www.gov.uk/government/publications/common-principles-on-misuse-of-companies-and-legal-arrangements

G8 Open Data Charter and Technical Annex

`INTER-GOVERNMENT` `PRINCIPLES`

The Open Data Charter sets out 5 strategic principles that all G8 members will act on. These include an expectation that all government data will be published openly by default, alongside principles to increase the quality, quantity and re-use of the data that is released. G8 members have also identified 14 high-value areas – from education to transport, and from health to crime and justice – from which they will release data. These will help unlock the economic potential of open data, support innovation and provide greater accountability.

https://www.gov.uk/government/publications/open-data-charter

OECD and Council of Europe: Multilateral Convention on Mutual Administrative Assistance in Tax Matters

INTER-GOVERNMENT   PRINCIPLES

Originally from 1988, the OECD and Council of Europe's Multilateral Convention was amended in 2010 to reflect current international standards on exchange of information for tax purposes. It was also opened up to countries outside the OECD and the Council of Europe. The convention provides for a range of information exchange methods, including automatic information exchange among parties.

http://www.oecd.org/tax/exchange-of-tax-information/conventiononmutualadministrativeassistanceintaxmatters.htm

OECD model tax agreements

INTER-GOVERNMENT   PRINCIPLES   DETAILED GUIDANCE

The OECD provides two model tax agreements on which many bilateral tax agreements (double taxation conventions and tax information exchange agreements) are based: the _OECD Model Tax Convention_ from 2010 (Article 26), and the _Agreement on Exchange of Information on Tax Matters_ from 2002.

http://www.oecd.org/ctp/treaties/oecdmtcavailableproducts.htm

Open Data Index

CIVIL SOCIETY   RATING

The Open Data Index was developed in 2013 to provide a global reference for the state of open data release by national governments. It provides an independent peer-reviewed assessment of openness in a range of key areas, reflecting the realities of public information release and practice in over 60 countries. 80 datasets are assessed, covering ten areas including transport, government budgets and spending, election results, company registers, national maps and statistics, legislation, postcodes and pollutant emissions.

https://index.okfn.org/

OpenCorporates: Open Company Data Index

CIVIL SOCIETY   RATING

The Open Company Data Index is published by OpenCorporates with the aim to make information about companies and the corporate world more accessible, more discoverable, and more usable, and thus give citizens, community groups, journalists, other companies, and society as a whole the ability to understand, monitor and regulate them.

The Open Company Data Index rates countries on their level of openness with regard to company data. Countries receive high scores if their company registers provide basic and searchable information online without charge or registration; have an explicit open license; provide information that is freely available as data; and include a list of company directors, statutory filings, and significant shareholdings for each company.

http://registries.opencorporates.com/

📘 The Global Forum on Transparency and Exchange of Information for Tax Purposes

`INTER-GOVERNMENT` `PRINCIPLES`

The Global Forum, established in 2001, is the multilateral framework for the exchange of tax information. The transparency and exchange of information standard was set out in the Terms of Reference and agreed by the Global Forum in 2009. The standard provides for exchange of information on request rather than automatic exchange of information.

http://www.oecd.org/tax/transparency/

📘 United Nations Convention against Corruption (UNCAC), Article 52

`INTER-GOVERNMENT` `PRINCIPLES`

Article 52 (Prevention and detection of transfers of proceeds of crime) of the UNCAC requires financial institutions to "take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates."

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

Whistleblower protection

📘 Asia Pacific Forum: A Guide for National Human Rights Institutions: Undertaking Effective Investigations

`INTER-GOVERNMENT` `DETAILED GUIDANCE`

This Manual from 2013 provides a comprehensive overview of the key skills that national human rights institution investigators require in order to conduct effective investigations. Chapter 17 of the manual focuses on whistleblowers, including how best to handle whistleblowers and how to assess whistleblower evidence.

http://www.asiapacificforum.net/support/files/investigations-manual-for-nhris

📘 British Standards Institute: Whistleblowing Arrangements Code of Practice

`EXPERT / OTHER` `DETAILED GUIDANCE`

This code of practice from 2008 explains how whistleblowing can be used as a key tool in tackling fraud and crime. It contains recommendations for organisations, including building fail-safe channels and providing confidential advice, and improving employee trust and providing for external disclosures. Other issues such as anonymity, public concerns and private complaints, whistleblowers with ulterior motives, and bullying and harassment are also included. On the subject of

raising public awareness, the code of conduct recommends that organisations display striking posters or use engaging messages on an intranet to remind staff to raise a concern before it becomes a complaint.

http://www.pcaw.org.uk/bsi

Brown, A.J., P. Roberts and J. Olsen (2011) Whistling While They Work: A good-practice guide for managing internal reporting of wrongdoing in public sector organisations

EXPERT / OTHER   DETAILED GUIDANCE

This good-practice guide from 2011 is designed to assist with the special systems needed for managing 'public interest' whistleblowing – where the suspected wrongdoing affects more than the personal interests of the person making the disclosure. It sets out results from four years of research into how public sector organisations can better fulfil their missions, maintain their integrity and value their employees by adopting a current best-practice approach to the management of whistleblowing.

http://epress.anu.edu.au?p=144611

Council of Europe: (Draft) Recommendation and Explanatory Memorandum on the Protection of Whistleblowers

INTER-GOVERNMENT   PRINCIPLES

The Council of Europe is currently working on the preparation of a draft recommendation on protecting whistleblowers. The adoption of a recommendation is a collective expression of European intergovernmental opinion on a subject matter, which gives it a certain authority, even if it does not have the same obligatory force as would a convention. The draft recommendation calls Council of Europe member States to establish a normative, institutional and judicial framework for the protection of whistleblowers. The principles set out in the recommendation are intended to guide member States wishing to modernise their legal systems. The draft recommendation is due to be considered for approval by the Committee of Ministers in early 2014.

http://www.coe.int/t/dghl/standardsetting/cdcj/whistleblowers/Whistleblowers%20meeting%20-%20Explanatory%20notes%20.pdf

Council of Europe's Parliamentary Assembly (PACE): Recommendation 2024, Provisional Version

INTER-GOVERNMENT   GENERAL REFERENCE

Resolution 2024 'national security and access to information' from 2013 urges member states to implement the Council of Europe's Convention on Access to Official Documents and to take into account the Global Principles on National Security and the Right to Information.

http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20194=en

Council of Europe's Parliamentary Assembly (PACE): Resolution 1729

`INTER-GOVERNMENT`　`GENERAL REFERENCE`

Recommendation 1729 'Protection of Whistle-blowers' from 2010 recognises the importance of whistleblowers for strengthening accountability and bolster the fight against corruption and mismanagement, both in the public and private sectors. The Parliamentary Assembly invites all member states to review their legislation concerning the protection of whistleblowers, keeping in mind the following guiding principles:

- Whistle-blowing legislation should be comprehensive;

- It should focus on providing a safe alternative to silence;

- As regards the burden of proof, it shall be up to the employer to establish beyond reasonable doubt that any measures taken to the detriment of a whistle-blower were motivated by reasons other than the action of whistle-blowing; and

- The implementation and impact whistleblower legislation should be monitored and evaluated at regular intervals by independent bodies.

http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=17851=en

Council of Europe's Parliamentary Assembly (PACE): Recommendation 1916

`INTER-GOVERNMENT`　`GENERAL REFERENCE`

Recommendation 1916 'Protection of Whistle-blowers' from 2010 stresses the importance of whistleblowing as a tool to increase accountability and strengthen the fight against corruption and mismanagement, and recommends that the Committee of Ministers draw up a set of guidelines for the protection of whistleblowers.

http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=17852=en

Government Accountability Project: International Best Practices for Whistleblower Policies

`CIVIL SOCIETY`　`DETAILED GUIDANCE`

This document by the Government Accountability Project from 2013 provides a checklist of 20 requirements to ensure that whistleblower laws are in line with international best practice. These 'best practices' standards are based on a compilation of all national laws and Intergovernmental Organisation policies such as those at the United Nations and World Bank.

http://www.whistleblower.org/storage/documents/Best_Practices_Document_for_website_March_13_2013.pdf

OECD: G20, Whistleblower Protection Frameworks, Compendium of Best Practices and Guiding Principles for Legislation

`INTER-GOVERNMENT`　`PRINCIPLES`

This OECD study from 2011 focuses on the main features of whistleblower protection laws, and provides best practice examples from G20 countries in the scope and application of their laws. The report also includes a set of guiding principles, which provide reference for countries intending to establish, modify or complement whistleblower protection frameworks.

http://www.oecd.org/general/48972967.pdf

Organisation of American States: Draft Model Law to Facilitate and Encourage the Reporting of Acts of Corruption and to Protect Whistleblowers and Witnesses

INTER-GOVERNMENT   PRINCIPLES

This model law from 2011 provides detailed guidance on how to establish norms, procedures and mechanisms to facilitate and encourage the reporting of acts of corruption that are liable for administrative or criminal investigation and punishment and to protect public officials and any person who, in good faith, reports or witnesses these acts.

http://www.oas.org/juridico/english/draft_model_reporting.pdf

Stiching Van De Arbeid (Labour Foundation): Statement on Dealing with Suspected Malpractices in Companies

EXPERT / OTHER   DETAILED GUIDANCE

As a response to a request made by the Dutch Government to the Dutch Labour Foundation to develop a whistleblowing code of conduct, this document from 2010 is intended as an initial step towards creating company- or industry-level guidelines for reporting suspected malpractice.

http://www.stvda.nl/en/~/media/Files/Stvda/Talen/Engels/2012/20120829_EN.ashx

The Hague Institute for the Internationalisation of Law: Towards basic justice care for everyone: Challenges and promising approaches

EXPERT / OTHER   GENERAL REFERENCE

This trend report tackles the question of what can be done to reduce the unnecessary suffering, injustice, and poverty caused by a lack of legal protection. It provides an assessment of what is known about access to justice, focusing on civil justice, administrative justice and redress for victims of crime. As an approach, it uses the perspective of what people seeking access to justice need, bringing together evidence from many different disciplines about what works to meet these needs. It uses country examples to show why and how countries are beginning to close the access to justice gap.

http://www.hiil.org/data/sitemanagement/media/TrendReport_Part1_020412_DEF%20%282%29.pdf

Tshwane Principles on National Security and the Right to Information

CIVIL SOCIETY   PRINCIPLES

The Tshwane Principles on National Security and the Right to Information were issued in June 2013 by 22 organisations and

academic centres from around the world. The Principles were developed in order to provide guidance to those engaged in drafting, revising or implementing laws or provisions relating to the state's authority to withhold information on national security grounds or to punish the disclosure of such information. They are based on international and regional law and standards, evolving state practice, the general principles of law recognized by the community of nations, and the writings of experts.

They have been endorsed by The European Parliament, the Parliamentary Assembly of the Council of Europe (PACE), the Special Rapporteurs on Freedom of Expression of the UN, OAS and African Commission on Human and Peoples Rights; the OSCE Representative on Freedom of the Media; and the UN Special Rapporteur on Counter-Terrorism and Human Rights.

http://www.right2info.org/exceptions-to-access/national-security

Annex: Acknowledgements

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This topic has been developed by Publish What You Fund (PWYF) with contributions from Rachel Rank and Catalina Reyes (PWYF), Paulo de Renzio (International Budget Partnership), Lauren Pfeifer (ONE), George Ingram (Brookings Institution), Carolyn Culey (Development Initiatives) and Laia Griñó (InterAction).

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The recommendations for this topic are based on the work of the Construction Sector Transparency Initiative (CoST) and the Network for Integrity in Reconstruction, and were developed by the CoST International Secretariat.

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Elections

This topic has been developed by the National Democratic Institute. The lead author was Patrick Merloe with contributions from Michelle Brown and Tova Wang. Please send comments to pat@ndi.org

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Guide to Opening Government